AGENDA
PERKINS COUNTY BOARD OF COMMISSIONERS
PERKINS COUNTY COURTHOUSE – 200 LINCOLN AVENUE – GRANT, NE 69140
MAY 4, 2026 ~ 8:30 A.M

I. Call to Order

II. Roll Call

III. Announcement by County Clerk of Notice of Meeting

IV. Announcement by Chairman of Open Meetings Act – N.R.S. §84-1412 (8)

V. Review and Action on Agenda

VI. Review and Action of Previous Minutes – April 20, 2026

VII. Ratification of Payroll and Approval of Claims Filed, Transfer of Funds

VIII. Correspondence
   a. Community Redevelopment Authority of the City of Grant 2025 Tax Increment Financing Annual Report
   b. Sandhills Crisis Intervention Program Fiscal Year 2026-2027 Funding Request
   c. Ardean Goertzen – Letter of Response to Dangerous Pivot Situation

IX. Public Comment ~ 8:40 A.M. - 9:00 A.M.

X. Review applications, interview applicants, and appoint Perkins County Assessor to fill vacancy of office effective June 16, 2026 ~ 10:00 A.M.

XI. Business and Reports from Perkins County Officials & Boards, to include Committee Reports, Office/Departmental Updates, Financial Reports, Legislative or Policy Updates, Operational Updates, and Project Status Updates.
   a. Commissioners
      i. Budget
      ii. Roads
   b. Clerk / Election Commissioner / Register of Deeds / Budget Preparer
   c. Treasurer
   d. Assessor
   e. Zoning
   f. County / District Courts

g. Building & Grounds
h. Extension
i. Sheriff
j. Attorney
k. Emergency Management / Communications
l. Highway Superintendent / Noxious Weeds
m. Veterans Service
n. Road Districts
o. Fair
p. Public Transit
q. Ambulance

XII. Unfinished Business

a. Discussion on Perkins County Comprehensive Plan and Zoning Regulations Updates.

XIII. New Business

a. Review, discuss, and take necessary action to adopt the Interlocal Cooperation Agreement between Perkins County and the City of Grant for Hastings Memorial Library Funding.
b. Ian Stevens Lease Termination – Threatened Litigation

XIV. Adjournment

- The Perkins County Clerk's Office will keep the agenda continuously current and available for review in the County Clerk's Office, modifications may occur up to 24 hours prior to said meeting.
- The agenda is advisory in nature and the order the Perkins County Board of Commissioners handles agenda items may be modified by the board for the convenience of the board, those with items on the agenda, and members of the public in attendance.
- The Perkins County Board of Commissioners reserves the right to enter into closed session at any time as necessary per Nebraska Revised Statute §84-1410 to discuss the agenda item currently before the board.

COMMISSIONER PROCEEDINGS

APRIL 20, 2026 **GRANT, NEBRASKA**

The Perkins County, Nebraska, Board of Commissioners held its regular meeting at 8:30 a.m. in the County Courthouse in Grant, Nebraska.

Present: Commissioners Darin Robertson, Mark Bottom, and Steven Tucker; County Attorney Richard Roberts; and County Clerk James Brueggeman.

Chairman Robertson called the meeting to order at 8:30 a.m. It was announced that notice of the meeting had been published in The Grant Tribune-Sentinel on April 16, 2026. The chairman also announced the location of the Open Meetings Act Poster in the Commissioner's Room. The agenda was reviewed. Commissioner Bottom moved to approve the agenda, seconded by Commissioner Tucker. A roll call vote was taken, with three ayes, and the motion carried. Commissioner Tucker moved to approve the minutes from the April 6, 2026, meeting, as published in The Grant Tribune-Sentinel, on Perkins County's website, and made public in the Clerk's Office. Commissioner Bottom seconded. Roll call vote: three ayes, and the motion carried.

The payroll and claims submitted to the County Board were reviewed. Commissioner Tucker moved to approve the payroll and claims. Commissioner Bottom seconded. A roll call vote was taken, with three ayes, and the motion was approved.

COUNTY EMPLOYEES	
SALARIES	$73,806.22
GENERAL	
Adams Bank & Trust - Grant	$ 475.00
Aflac	$ 1,001.32
Amazon Capital Services	$ 554.73
Ameritas, Retirement Plans Division	$ 11,447.41
AT&T Mobility	$ 78.58
Benchmark Government Sols., LLC	$ 540.90
Black Hills Gas Distribution, LLC	$ 1,097.39
Carlson Electric, Inc.	$ 1,267.20
CenturyLink	$ 45.93

CPI Telecom	$ 125.14
Culligan Water Conditioning	$ 95.00
DAS State Accounting - Cntrl. Fin.	$ 266.50
DAS State Accounting - Cntrl. Fin.	$ 242.00
Datashield	$ 138.36
Department of Revenue - Prop. Asses.	$ 75.00
Dickinson Land Surveyors, Inc.	$ 429.58
Election Systems & Software, Inc.	$ 1,047.61
Ensz Hardware	$ 220.98
Fiduciary Trust Co Of New Hampshire	$ 625.00
Frenchman Valley Coop	$ 1,623.44
Galls, LLC	$ 87.59
Great Plains Communications	$ 1,007.94
Hamilton Information Systems, Inc.	$ 1,865.07
High Plains News North, LLC	$ 1,379.34
Hi-Line Cooperative, Inc.	$ 271.28
Ideal Linen	$ 146.40
Keith County Jail	$ 7,500.00
Law Office Of Steven E Elmshaeuser	$ 525.00
NE Weed Control Association	$ 10.65
Nebraska Printworks, LLC	$ 67.92
Office Services, Inc.	$ 914.18
Perkins County Road Fund	$250,000.00
Pinnacle Bank	$ 40,450.09
Pinnacle Bank - Grant	$ 606.97
Pinnacle Bank - Grant	$ 4,758.32
Pinnacle Bank - Omaha	$ 1,403.65
Pinnacle Bank - Spec Law Enf Acct	$ 3,000.00
PrestoX	$ 399.47
Pro Printing & Graphics	$ 91.00
Reynolds, Korth & Samuelson	$ 552.00
Ride Rite Garage	$ 730.77
Robert S. Harvoy	$ 1,094.65
Sandhills State Bank	$ 487.50

Spark's Spraying Co., LLC	$	2,812.19
State of NE - Dept of Revenue	$	2,796.47
The Auto Shop	$	108.52
Thomson Reuters - West	$	176.69
U.S. Department Of Agriculture	$	278.16
University of NE - Lincoln	$	64.50
Verizon Wireless	$	119.76
Westfield Pharmacy, Inc.	$	83.53
ROADS		
Bomgaars Supply	$	477.09
Eastern Sky, Inc.	$	4,702.10
Ensz Hardware	$	101.93
Garrett Tires & Treads - GI	$	150.15
High Plains News North, LLC	$	108.70
Highline	$	50.26
Hi-Line Cooperative, Inc.	$	7,171.58
MCI	$	31.43
Midwest Electric Cooperative Corp.	$	77.51
NPPD	$	332.03
Perkins Co Health Services	$	150.00
Regier Truck Sales	$	267.63
Ross Family Auto Parts, Inc.	$	628.13
Viaero Wireless	$	42.21
Waste Connections, Inc.	$	266.09
TRANSIT		
Black Hills Gas Distribution, LLC	$	191.05
Frenchman Valley Coop	$	25.00
Ride Rite Garage	$	9,008.92
Verizon Wireless	$	145.90
911 SERVICES		
Elsie Communications, Inc.	$	191.37
Great Plains Communications	$	83.32
LOCAL AMBULANCE		
Buckeye Welding Supply Co., Inc.	$	127.74

Ensz Hardware	$	121.96
Frenchman Valley Coop	$	195.46
Galls, LLC	$	85.79
Grant Suburban Fire District	$	414.05
One Billing Solutions, LLC	$	938.92
Pinnacle Bank - Omaha	$	1,728.17
TRANSFER AMBULANCE		
Aurora Cooperative	$	422.01
One Billing Solutions, LLC	$	734.86
Pinnacle Bank - Omaha	$	528.87
Quality Diesel, Inc.	$	355.40

Correspondence:
Commissioners did not receive any correspondence.

Public Comment:
Opened at 8:40 a.m. and closed at 9:08 a.m. Commissioners received public comment from Leon Pankonin.

Board of Equalization:
Chairman Robertson recessed the regular meeting of the Perkins County Board of Commissioners at 9:00 a.m. to convene as the Perkins County Board of Equalization. Chairman Robertson reconvened the regular meeting of the Perkins County Board of Commissioners at 9:05 a.m. after the adjournment of the Perkins County Board of Equalization.

Business With Officials:
County Assessor Peggy Burton informed Commissioners that she plans to retire from her role as County Assessor effective June 15, 2026. Commissioners expressed their gratitude to Burton for her 10 years of service as County Assessor and her 26 years working for Perkins County.

Commissioners received updates from County Clerk James Brueggeman, Treasurer Julie Sestak, Sheriff Jeffrey Miller, Highway Superintendent Steve Leimer, and Assistant Highway Superintendent Brian Brassfield regarding their respective operations.

Unfinished Business:

Ed Dunn, representing the West Central Nebraska Development District and serving as the Perkins County Planning and Zoning Administrator, attended the meeting to further review the Perkins County Comprehensive Plan and Zoning Regulations. Dunn informed the Commissioners that the Perkins County Planning Commission recommended the County Board approve the Comprehensive Plan and Zoning Regulations after implementing additional changes suggested by the Planning Commission. The Commissioners will hold a public hearing on the Comprehensive Plan and Zoning Regulations on Monday, May 18, 2026, at 9:00 a.m.

New Business:
Commissioner Bottom moved to adopt and have Commissioners sign Resolution 2026-10, authorizing Courtney Ingold, Perkins County Treasurer Office Clerk, access to Pinnacle Bank Online Banking System with signatory responsibility, and to authorize Perkins County Treasurer Julie Sestak to establish account access. Commissioner Tucker seconded the motion; a roll-call vote followed, with three ayes, and the motion passed unanimously.

Commissioner Tucker moved to adopt and have Chairman Robertson sign Resolution 2026-11, which authorizes the temporary use of a state highway for a county special event—the Perkins County Fair Parade on July 18, 2026. Commissioner Bottom seconded the motion. Roll call vote: three ayes; motion carried.

Commissioners reviewed estimates received for repairing the Perkins County Fairgrounds lift station. Commissioner Tucker moved to approve the estimate from Goff Services, not to exceed $10,000.00. Commissioner Bottom seconded the motion. Roll call vote: three ayes; motion carried.

County Clerk Brueggeman informed Commissioners about the Frenchman Valley Coop Fleet+ Advantage Program. Commissioner Bottom moved to have the Chairman sign the enrollment paperwork for the Fleet+ Advantage Program. Commissioner Tucker seconded the motion. Roll call vote: three in favor, motion carried.

County Attorney Roberts discussed with Commissioners the impact of a letter that could not be delivered by certified mail with return receipt through the United States Postal Service. Chairman Tucker moved, and Commissioner Bottom seconded, to have the Commissioners sign an updated copy of the Ardean Goertzen Dangerous Situation Center Pivot Irrigation System Letter SE ¼ 11-9-39, Perkins County, Nebraska, and to authorize service of the letter by the Lancaster County Sheriff's

Office. Commissioner Bottom seconded the motion. Roll call voting was performed, with three ayes; the motion carried.

Chairman Robertson recessed the meeting at 9:56 a.m. for a short break. Chairman Robertson reconvened the meeting at 9:59 a.m.

Commissioner Tucker moved to adjourn the meeting, seconded by Commissioner Bottom. A roll call vote was conducted, and all three members approved, passing the motion.

The meeting adjourned at 10:32 a.m.

The next regular meeting of the Perkins County Board of Commissioners is scheduled for Monday, May 4, 2026, at 8:30 a.m., at the Perkins County Courthouse in Grant, Nebraska.

James D. Brueggeman
Perkins County Clerk

Board Preapproval Report

From 0000-000-00-0-0000 to 9999-999-99-9-9999
Board Date:05/04/2026 - Check Date:05/04/2026

100 - GENERAL

Account	Description	Vendor	Invoice Description	Claim #	Amount
218 - GENERAL WITHHOLDING					
01-0-0000	FEDERAL TAX	PINNACLE BANK	Fed Tax 5/4/2026	2605000006	6,072.16
02-0-0000	STATE TAX	STATE OF NE -- DEPT OF REVENUE	State Tax 5/4/2026	2605000010	2,785.00
03-0-0000	FICA TAX	PINNACLE BANK	Fed Tax 5/4/2026	2605000006	7,296.16
04-0-0000	GENERAL RETIREMENT	AMERITAS, RETIREMENT PLANS DIVISION	Retirement 5/4/2026	2605000003	4,600.77
07-0-0000	HSA	ADAMS BANK & TRUST - GRANT	HSA ~ Adams Bank & Trust 5/4/2026	2605000001	212.50
07-0-0000	HSA	PINNACLE BANK - GRANT	HSA ~ Pinnacle Bank 5/4/2026	2605000008	2,520.82
07-0-0000	HSA	SANDHILLS STATE BANK	HSA ~ Sandhills State Bank 5/4/2026	2605000009	225.00
08-0-0000	AFLAC	AFLAC	Aflac ~ Pre-Tax Sup. Ins. 5/4/2026, Afla…	2605000002	746.02
09-0-0000	DISABILITY INSURANCE - AFLAC	AFLAC	Aflac ~ Pre-Tax Sup. Ins. 5/4/2026, Afla…	2605000002	196.78
11-0-0000	Employee Medica	PINNACLE BANK	Medica Health Insurance 5/4/2026	2605000007	968.97
26-0-0000	IVY FUNDS - 457 PLANS	FIDUCIARY TRUST CO OF NEW HAMPSH…	457(b) DCP ~ Brueggeman 5/4/2026	2605000004	125.00
34-0-0000	457 PLAN FOR JULIE SESTAK	FIDUCIARY TRUST CO OF NEW HAMPSH…	457(b) DCP ~ Sestak 5/4/2026	2605000005	500.00
			218 - GENERAL WITHHOLDING Total		**26,249.18**
970 - MISCELLANEOUS					
00-1-0803	GROUP INSURANCE	PINNACLE BANK	Medica Health Insurance 5/4/2026	2605000007	18,408.54
00-1-0805	HSA CONTRIBUTIONS	ADAMS BANK & TRUST - GRANT	HSA ~ Adams Bank & Trust 5/4/2026	2605000001	262.50
00-1-0805	HSA CONTRIBUTIONS	PINNACLE BANK - GRANT	HSA ~ Pinnacle Bank 5/4/2026	2605000008	2,112.50
00-1-0805	HSA CONTRIBUTIONS	SANDHILLS STATE BANK	HSA ~ Sandhills State Bank 5/4/2026	2605000009	262.50
00-1-0900	RETIREMENT CONTRIBUTIONS	AMERITAS, RETIREMENT PLANS DIVISION	Retirement 5/4/2026	2605000003	6,780.70
00-1-1000	OASI--SOCIAL SECURITY	PINNACLE BANK	Fed Tax 5/4/2026	2605000006	7,296.16
			970 - MISCELLANEOUS Total		**35,122.90**
			100 - GENERAL Total		**61,372.08**
			Grand Total		**61,372.08**

Board Preapproval Report

From 0000-000-00-0-0000 to 9999-999-99-9-9999
Board Date:05/04/2026 - Check Date:05/04/2026

100 - GENERAL

Account	Description	Vendor	Invoice Description	Claim #	Amount
602 - CLERK					
00-2-1100	DATA PROCESSING	MIPS INC	Perkins Co Clerk / 202605509	2605000030	898.72
00-2-1101	COMPUTER EXPENSE, GENERAL	CDW GOVERNMENT, INC	5969619 / AJ1AB7V	2605000013	1,503.85
00-5-0500	OFFICE EQUIPMENT	AL'S LOCK & SAFE INC	Perkins Co Clerk / 35539	2605000011	3,436.72
			602 - CLERK Total		**5,839.29**
603 - TREASURER					
00-2-1100	DATA PROCESSING COSTS	MIPS INC	Perkins Co Clerk / 202605509	2605000030	684.76
			603 - TREASURER Total		**684.76**
605 - ASSESSOR					
00-2-1100	DATA PROCESSING	ESRI, INC	346300 / 900238861	2605000022	550.00
			605 - ASSESSOR Total		**550.00**
607 - ELECTION					
00-2-1100	DATA PROCESSING COSTS	ELECTION SYSTEMS & SOFTWARE, INC	37461 / CD2146522	2605000020	2,882.49
			607 - ELECTION Total		**2,882.49**
608 - PLANNING & ZONING					
00-2-1751	DUES, SUBSCRIPTIONS, REGISTRATIONS	GWORKS	Perkins County NE / 2019-16675	2605000026	2,158.00
			608 - PLANNING & ZONING Total		**2,158.00**
641 - BUILDING/GROUNDS					
00-2-0501	LIGHTS	CITY OF GRANT	1047800000 / 78719, 11120000 / 78350	2605000015	1,787.51
00-2-0502	WATER, SEWER, TRASH HAULING	CITY OF GRANT	1047800000 / 78719, 11120000 / 78350	2605000015	324.69
00-2-0502	WATER, SEWER, TRASH HAULING	DATASHIELD	2108-1 / 0192022	2605000018	138.36
00-2-1301	GROUNDS REPAIR	GOFF SERVICES	Perkins Co Courthouse / 2749	2605000025	109.50
00-2-1640	ELEVATOR REPAIR	TK ELEVATOR CORPORATION	8005016-US234283 / 3009314627	2605000038	471.84
00-3-0107	BUILDING SUPPLIES	ENSZ HARDWARE	33 / 40872 , 40984	2605000021	33.96
00-3-0107	BUILDING SUPPLIES	LEIBBRANDT LUMBER, INC DBA	124643 / K74497	2605000029	77.99
			641 - BUILDING/GROUNDS Total		**2,943.85**

100 - GENERAL

Account	Description	Vendor	Invoice Description	Claim #	Amount
645 - EXTENSION AGENT					
00-2-9900	MISCELLANEOUS	CITY OF GRANT	1047800000 / 78719, 11120000 / 78350	2605000015	53.91
00-5-0500	OFFICE EQUIPMENT	EAKES OFFICE PLUS	Perkins Co Clerk / INV764228, 478253 /...	2605000019	1.00
			645 - EXTENSION AGENT Total		**54.91**
651 - SHERIFF					
00-1-1100	UNIFORM ALLOWANCE	GALLS, LLC	5287633 / 034637123, 5287633 / 034699...	2605000024	68.43
00-2-0201	TELETYPE SERVICE	DAS STATE ACCOUNTING-CENTRAL FIN...	1374475 / 1522694	2605000017	614.40
00-2-1100	DATA PROCESSING	RCN TECHNOLOGIES	Perkins Co / 5/17/2026-5/16/2027	2605000036	1,110.00
00-2-2544	MAINTENANCE CONTRACT	FLOCK GROUP INC	NE - Perkins County SO / Q-202080	2605000023	65,000.00
00-3-0101	SUPPLIES--OFFICE	AMAZON CAPITAL SERVICES	AXF6321KB6F72 / 16L9-M61D-Y1NP	2605000012	70.70
			651 - SHERIFF Total		**66,863.53**
693 - EMERGENCY MANAGEMENT					
00-2-0200	TELEPHONE SERVICES	VERIZON WIRELESS	742111729-00001 / 6140773808	2605000039	59.56
			693 - EMERGENCY MANAGEMENT Total		**59.56**
970 - MISCELLANEOUS					
00-1-0806	LIFE, AD + D INSURANCE	THE LINCOLN NATIONAL LIFE INS CO	PerkinsCo-BL-1517476 / May 2026	2605000037	1,708.50
00-1-0807	DEDUCTIBLE COVERAGE	PINNACLE BANK - GRANT	42260000 / 04/29/2026	2605000033	6,714.44
00-1-0807	DEDUCTIBLE COVERAGE	POINT C	42260000 / 1660117	2605000034	330.00
00-1-0903	PRIOR SERVICE	CHARLES KUSKIE	May 2026	2605000014	16.00
00-2-0100	POSTAL SERVICES	PURCHASE POWER	8000-9090-0812-8790 / 04/21/2026	2605000035	37.88
00-2-1103	WEBSITE COSTS	MIPS INC	Perkins Co Clerk / 202605509	2605000030	65.00
00-2-1110	TIMEKEEPING SERVICE COST	MIPS INC	Perkins Co Clerk / 202605509	2605000030	122.50
00-2-2411	DIST. CT. ATY.- GUARDIAN AD LITEM	LAW OFFICE OF ASHLEY K. SPAHN	Perkins Co Court / 29693	2605000028	125.00
00-2-2802	BEATRICE STATE HOME	NEBRASKA HEALTH AND HUMAN SERVI...	Perkins Co / 156231	2605000031	93.00
00-2-7000	MICROFILMING	MIPS INC	Perkins Co Clerk / 202605509	2605000030	112.67
00-2-9904	P.C. FIREWORKS CELEBRATION	PERKINS COUNTY CHAMBER	Perkins County / 2025	2605000032	1,000.00
00-2-9910	AIRLINE TAX	CITY OF GRANT	Airline Tax Per Treasurer Rept 260220	2605000016	2,066.80
00-3-0101	OFFICE SUPPLIES	EAKES OFFICE PLUS	Perkins Co Clerk / INV764228, 478253 /...	2605000019	80.68
00-4-0200	EQUIPMENT RENTAL - XEROX COPIER	HOMETOWN LEASING	0032800484 / 19	2605000027	217.02

100 - GENERAL

Account	Description	Vendor	Invoice Description	Claim #	Amount
970 - MISCELLANEOUS					
			970 - MISCELLANEOUS Total		**12,689.49**
			100 - GENERAL Total		**94,725.88**

200 - ROADS

Account	Description	Vendor	Invoice Description	Claim #	Amount
705 - ROAD DISTRICT #1					
00-5-0300	MACHINERY & EQUIPMENT - RD#1	SANDHILLS STATE BANK	18482 / May 2026, 18438 / May 2026	2605000044	4,708.88
			705 - ROAD DISTRICT #1 Total		**4,708.88**
706 - ROAD DISTRICT #2					
00-2-0200	TELEPHONE SERVICES - ROAD DIST #2	CONSOLIDATED TELCOM,INC	326-4341 / RI55220323	2605000041	120.50
00-3-0209	MACHINERY/EQUIPMENT FUEL - RD#2	AMERICAN ENERGY DELIVERY, INC	100660 / 44292, 100037 / March 2026	2605000040	192.50
00-5-0300	MACHINERY & EQUIPMENT - RD#2	PINNACLE BANK - GRANT	7720240138 / May 2026	2605000043	5,218.29
00-5-0300	MACHINERY & EQUIPMENT - RD#2	SANDHILLS STATE BANK	18482 / May 2026, 18438 / May 2026	2605000044	5,934.20
			706 - ROAD DISTRICT #2 Total		**11,465.49**
707 - ROAD DISTRICT #3					
00-2-0200	TELEPHONE SERVICES - ROAD DIST #3	VISTABEAM	10761 / 19544213	2605000045	71.95
00-3-0209	MACHINERY/EQUIPMENT FUEL - RD#3	AMERICAN ENERGY DELIVERY, INC	100660 / 44292, 100037 / March 2026	2605000040	10,646.75
00-3-0211	TIRES & TIRE REPAIR - ROAD DIST #3	GARRETT TIRES & TREADS NP	5002747 / 21808566	2605000042	139.50
			707 - ROAD DISTRICT #3 Total		**10,858.20**
			200 - ROADS Total		**27,032.57**

1000 - FAIR

Account	Description	Vendor	Invoice Description	Claim #	Amount
855 - FAIR					
00-2-0501	ELECTRICITY	CITY OF GRANT	1047200000 / 78715	2605000046	661.31
			855 - FAIR Total		**661.31**

1000 - FAIR

Account	Description	Vendor	Invoice Description	Claim #	Amount
			1000 - FAIR Total		**661.31**

2500 - PUBLIC TRANSIT

Account	Description	Vendor	Invoice Description	Claim #	Amount
835 - PUBLIC TRANSIT					
00-2-0501	ELECTRICITY	CITY OF GRANT	1047700000 / 78718	2605000047	20.59
			835 - PUBLIC TRANSIT Total		**20.59**
			2500 - PUBLIC TRANSIT Total		**20.59**

2910 - E-911 SERVICES

Account	Description	Vendor	Invoice Description	Claim #	Amount
697 - E-911 SERVICES FUND					
00-2-0200	TELEPHONE	CENTURY LINK	90582295 / 780533937, 91174819 / 7807...	2605000048	1,079.43
			697 - E-911 SERVICES FUND Total		**1,079.43**
			2910 - E-911 SERVICES Total		**1,079.43**

5502 - AMBULANCE

Account	Description	Vendor	Invoice Description	Claim #	Amount
691 - AMBULANCE					
00-3-0101	SUPPLIES--OFFICE	DEAVER COMPUTER SERVICE 1,LLC	Perkins Co Ambulance / 18131,39314,39...	2605000049	194.97
			691 - AMBULANCE Total		**194.97**
			5502 - AMBULANCE Total		**194.97**
			Grand Total		**123,714.75**

C. R. A.

Community Redevelopment Authority of the City of Grant

342 Central Avenue ~ Grant, NE 69140 ~ 308.352.2100

RECEIVED
APR 23 2026
PERKINS COUNTY CLERK
GRANT, NE 69140

Introduction:

The City of Grant Community Redevelopment Authority is the redevelopment authority which accepts Tax Increment Financing (TIF) applications and approves the use of TIF.

This Tax Increment Financing Annual Report contains highlights of the 2025 Tax Increment Financing projects in Grant Nebraska.

Total number of active redevelopment projects receiving TIF in 2025.
There are 2 projects receiving TIF in 2025.

Total estimated project costs for all TIF projects.

Contract Name	Estimated Amount of Project Costs
204 Hancock Avenue	290,000.00
245 Lincoln Avenue	358,000.00
Total Estimated Project Costs	648,000.00

Total estimated amount of outstanding indebtedness for all TIF projects, not including estimated accrued interest.

Contract Name	Estimated Amount of Outstanding Indebtedness	Estimated Date of Indebtedness to be Paid in Full
204 Hancock Avenue	40,000.00	Tax Year 2038
245 Lincoln Avenue	33,000.00	Tax Year 2041
Total Balance Outstanding	73,000.00	

Comparison of projected and actual valuation for all projects receiving TIF.

Contract Name	Initial Projected Valuation	2025 Valuation
204 Hancock Avenue	271,650.00	249,476.00
245 Lincoln Avenue	287,660.00	7,980.00

Number of TIF projects paid in full during prior year.
The City of Grant Community Redevelopment Authority had zero TIF projects that were paid for in full during the prior year (2025).

Number of TIF projects approved in prior year.
The City of Grant Community Redevelopment Authority had one project approved in the prior year (2025).

Description of TIF projects in prior years.

245 Lincoln Avenue - The project consists of the construction of an approximately 2,730 square foot single family residential home with approximately 3 bedrooms and 2 bathrooms. The CRA's Public Improvements may include construction and installation of such public improvements in the Redevelopment Area, as set forth in the Redevelopment Plan that the CRA determines to be the highest priority based upon the amount of Tax Increment and the CRA's discretion, which public improvements are eligible improvements under the Act pursuant to this Redevelopment Agreement; paid for, in part, by the Tax Increment created by the Private/Public Improvements.

204 Hancock Avenue - The project consists of the construction of an approximately 3,280 square foot single family residential home with approximately 3 bedrooms and 2 bathrooms. The CRA's Public Improvements may include construction and installation of such public improvements in the Redevelopment Area, as set forth in the Redevelopment Plan that the CRA determines to be the highest priority based upon the amount of Tax Increment and the CRA's discretion, which public improvements are eligible improvements under the Act pursuant to this Redevelopment Agreement; paid for, in part, by the Tax Increment created by the Private/Public Improvements.

Percentage of City designated blighted and substandard.

The City of Grant has 49.2% designated blighted and substandard.

The redevelopment sites of the TIF projects would not have achieved the level of increases in property valuation and tax revenues without TIF.

Sandhills Crisis Intervention Program

Advocating for victims of domestic violence, sexual assault and stalking since 1985

Serving Arthur, Deuel, Garden, Grant, Keith & Perkins Counties

711 East 1st St, P.O. Box 22 • Ogallala, NE 69153-0022

Phone: (308) 284-8477 • Fax: (308) 284-3567 • Crisis Line: (308) 284-6055

RECEIVED
APR 23 2026
PERKINS COUNTY CLERK
GRANT, NE 69140

April 21, 2026

Perkins County Commissioners

RE: Budget Request

Dear Perkins County Commissioners,

On behalf of Sandhills Crisis Intervention Program (SCIP), I respectfully request funding in the amount of **$6,000.00** to support critical victim services for residents of Perkins County during the upcoming fiscal year.

SCIP is committed to the prevention and elimination of domestic violence and sexual assault and works to support victims through advocacy, education, and social action. We provide 24/7 crisis response to victims, as well as support to law enforcement, hospitals, and other partner agencies. Our services include victim advocacy, protection order assistance, court accompaniment, crisis intervention, medical advocacy, emergency shelter, transportation, financial assistance, and professional counseling.

Funds from Perkins County will be used exclusively to assist victims within your county. This support allows SCIP to respond quickly in crisis situations, reduce barriers to safety, and ensure individuals and families have access to essential, life-saving services. In rural communities, where resources are often limited, this funding is especially critical.

In addition to direct services, SCIP continues to secure outside funding to expand prevention and education efforts within our service area. Recently, SCIP obtained grant funding to bring a nationally recognized human trafficking survivor and speaker to the Grant Middle & High School. Rachel Fischer provided education to students and teachers on the dangers of online activity, grooming, and human trafficking, helping to increase awareness and prevention among youth in your community.

Thank you for your consideration and for your commitment to the safety and well-being of your community. I would welcome the opportunity to provide additional information or meet to discuss SCIP's services and impact within Perkins County if needed.

Sincerely,

Kathleen Bauer

Kathleen Bauer
Executive Director

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APR 30 2026
PERKINS COUNTY CLERK
GRANT, NE 69140

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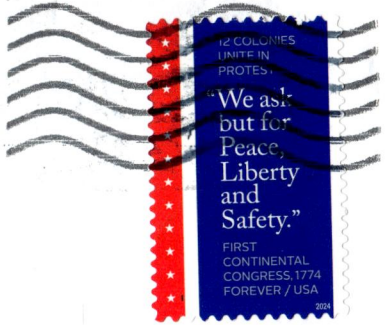


PERKINS CO COMMISSIONERS

PO BOX 156

GRANT,NE 69140

69140-015656

RECEIVED
APR 30 2026
PERKINS COUNTY CLERK
GRANT, NE 69140

Mr. Robertson, Mr. Tucker, Mr. Bottom

My wife has been suffering from dementia for the last four years or so. Two weeks ago last Thursday, I found it necessary to call in a medical team to take my wife to the emergency room. She was admitted to the hospital, spent four days there and anther week in rehab. Last Monday I was able to take her home, but it's all I can do to care for her with her state of mind. The front door is open, I'm looking towards the outside through a screen door when a sheriff's patrol car pulls up in front of our house. An officer walks towards our door and I'm wondering what in the world have I done. You know the rest of the story but, do you have any idea how being served by the sheriff made us feel? If this is policy, then change it. How about first dropping off the letter in a mailbox and see if you get a proper response. I guarantee, you would have**. We're not common criminals needing to see a strong hand at the door**. To all three of you, would you send the sheriff out to your grandparents house for this? **I'm not angry**, in spite of the fact you managed to badly hurt and humiliate my wife and I. Sean Hanson, my tenant will make arrangements to get the necessary corrections made.

The fruit of the Spirit is Love, Joy, Peace, Patience, **Kindness,** Goodness, Faithfulness, **Gentleness** and Self Control.
Gal. 5:22-23

Perkins County
Commissioners

P.O. Box 156 Grant, NE 69140
Ph. 308-352-7560 Fax 308-352-7562

April 20, 2026

Ardean R. Goertzen, Trustee
2020 Wilderness Ridge Drive
Lincoln, NE 68512

Dear Mr. Goertzen:

This letter is to let you know that we have identified a dangerous situation involving the center pivot irrigation system that is located on land of which you are the owner of record. The land is described as:

The SE/4 of Section 11, Township 9 North, Range 39, West of the 6th P.M., in Perkins County, Nebraska.

There are two problems involving the center pivot system that we want to warn you about. The first problem is that, at several times in the past, the sprinkler has watered the road described as follows:

The one-half mile of Road 754 west of Road 328.

That road is an unimproved road, but it is part of the Perkins County road system. It is not permissible to water roads such as this; and if it happens in the future, it could lead to a fine and civil liability on your part if there is an accident.

The second problem is that the system itself has been observed to overhang the road. This could lead to civil liability on your part if it were to cause an accident due to a vehicle colliding with the system.

To prevent any of these problems, we strongly recommend that the length of the system be shortened and an end gun installed, one that can be shut off as the system passes north of Road 754. If you have any questions in this regard, we would very much like to discuss this with you and would request that you call the County Clerk's office at 308-352-7560 so that you can get on the agenda for one of our meetings.

Thank you.

Sincerely,

Darin Robertson
Commissioner

Steve Tucker
Commissioner

Mark Bottom
Commissioner

STATE OF NEBRASKA)ss
Lancaster County)
I hereby appoint
To serve the within writ
Jerry I. Wagner SHERIFF
Dated 4 day of 24 20 26
This
Served By: LOREZ 90224

PERKINS COUNTY COMPREHENSIVE PLAN UPDATE

Question-and-response guide: likely questions from county residents and suggested plain-language answers for the Planning Commission and County Commissioners

1. BASIC PURPOSE AND WHAT THE PLAN IS

These are the first questions many residents are likely to ask when they want to know what has changed and what the document actually does.

Likely Question	Suggested Response
Why did the County update the Comprehensive Plan?	Because the County wanted a current guide for the next ten years. The 2013 plan had served its purpose, but the County's housing needs, demographics, agricultural conditions, infrastructure priorities, and development questions had changed. The new plan updates those conditions and sets direction for 2025–2035.
What is a Comprehensive Plan, in plain language?	It is the County's long-range guide for growth, land use, housing, transportation, community facilities, and quality of life. It is not the same as zoning, but it helps explain the direction the County wants to take over time.
Does this plan change property zoning by itself?	No. The Comprehensive Plan does not automatically rezone land. Zoning changes still require separate action under the zoning regulations and the County's normal review process.
Why does the new plan read more like a story than the old one?	That was intentional. The County wanted a plan that still includes facts and policy, but that also feels like Perkins County and speaks to residents in a more understandable, place-based way.

2. PLACEMAKING, RURAL CHARACTER, AND QUALITY OF LIFE

These questions help explain the tone of the plan and why the County chose to frame it the way it did.

Likely Question	Suggested Response
What does the County mean by placemaking?	In this plan, placemaking means strengthening the places people use every day, such as towns, Main Streets, parks, schools, fairgrounds, community facilities, and other public spaces, so they better reflect local values and support community life.
Is placemaking just about beautification or tourism?	No. The County is using the term more broadly. It includes housing, recreation, local events, arts and culture, public spaces, infrastructure, and the practical improvements that make a place more livable, welcoming, and resilient.
Why does that matter in a rural county?	Because in a place like Perkins County, people often decide whether to stay, return, work, raise families, or invest based on how the county functions and feels day to day. Strong schools, parks, fairgrounds, downtowns, public spaces, housing choices, and community life all matter.
How does the plan reflect Perkins County's rural character?	The plan consistently ties growth and investment back to agricultural heritage, stewardship of land and resources, practical improvements, and local identity rather than urban-style redevelopment.

3. POPULATION, HOUSING, AND EVERYDAY COMMUNITY NEEDS

These are likely public questions from residents trying to understand how the plan connects to real day-to-day concerns.

Likely Question	Suggested Response
Does the plan mean the County expects rapid growth?	No. The plan is more careful than that. It recognizes modest population change and focuses on resilience, housing stability, retention of residents, and improving the places and services that support daily life.
Why is housing such a major part of the plan?	Because housing affects nearly everything else: whether young families stay, whether workers can live near jobs, whether older residents can age in place, and whether communities remain active and stable.
Is the County saying housing costs are a problem?	The plan recognizes that housing values have gone up, that affordability still matters, and that quality housing choices need to be maintained and expanded over time.
What kinds of housing issues is the plan most concerned about?	The plan focuses on availability, condition, affordability, older housing stock, energy efficiency, and making sure the county remains a place where different household types can find suitable housing.

4. AGRICULTURE, LAND USE, AND ECONOMIC GROWTH

These questions are likely when residents want to know whether the plan favors preservation, development, or some mix of both.

Likely Question	Suggested Response
How does the plan protect agriculture?	The plan treats agriculture as the backbone of the county's economy and identity. It encourages careful land use decisions, continued productivity, stewardship of working lands, and thoughtful review of any conversion of important agricultural land.
Does the plan say development should stop?	No. The plan supports growth and investment, but it emphasizes that new development should fit the county's long-term character, infrastructure capacity, and surrounding land uses.
What does the plan say about prime cropland?	It says the County should avoid losing prime cropland whenever reasonably possible and should evaluate land conversion carefully rather than casually.
Does the plan support economic development?	Yes. It supports economic vitality, value-added agriculture, workforce attraction, business activity, and practical improvements that strengthen the county over time.

5. RELATIONSHIP TO ZONING, MAPS, AND PUBLIC PROCESS

These questions help explain how the plan fits into actual county review and why the plan is not the same thing as a permit or zoning decision.

Likely Question	Suggested Response
How does this plan connect to the zoning regulations?	The plan gives the County long-range direction, while the zoning regulations provide the actual enforceable rules. The two documents were updated so they work together more closely.
What is the Preferred Development Corridor?	It is a planning concept the County uses to help think about where certain higher intensity uses may be more appropriate from a transportation, infrastructure, and compatibility standpoint. It is not a separate zoning district by itself.
If my land is shown in a certain future land use area, does that guarantee I can develop it that way?	No. The future land use map is a guide, not an automatic approval. Actual proposals still go through zoning, permitting, and county review.
Will the public still have a voice if a major project is proposed?	Yes. The plan does not replace the public review process. Major land use questions still move through the County's normal hearing and decision-making procedures.

6. WHAT THE PLAN MEANS GOING FORWARD

These are useful closing questions for public meetings when residents want to know what the document will actually mean in practice.

Likely Question	Suggested Response
What practical improvements could residents expect the plan to support?	The plan supports practical improvements to housing, transportation, community facilities, parks, public spaces, downtowns, community events, recreation, and infrastructure that help make Perkins County a stronger place to live and work.
Why does the plan talk about schools, parks, fairgrounds, trails, and community facilities as part of economic resilience?	Because those places support daily life, community identity, family stability, and local pride. They also influence whether people choose to live in, stay in, or invest in the county.
What should residents take away from the plan overall?	That the County is trying to build on what is already strong here: agriculture, local identity, rural character, practical stewardship, and the everyday places that hold community life together.
What happens next after adoption?	The plan becomes the County's long-range guide for 2025-2035. It should be used in county decisions, revisited over time, and updated again when conditions meaningfully change or the next planning cycle approaches.

PERKINS COUNTY COMPREHENSIVE PLAN
2013 TO 2025-2035 CHANGE LOG

Resident-Friendly Crosswalk of the Original 2013 Comprehensive Plan and the Final 2025-2035 Comprehensive Plan

Prepared as a section-by-section explanation of what changed, where it changed, and why it matters.

HOW TO USE THIS DOCUMENT: This is not a redline. It is a narrative crosswalk. Each major chapter of the 2013 plan is paired with the corresponding section in the 2025-2035 plan, followed by a plain-language explanation of what was expanded, reframed, updated, or newly added.

1. EXECUTIVE-LEVEL STRUCTURAL CHANGES

2013 Plan Section	2025-2035 Plan Section	What Changed	Why It Matters
Overall document form	Overall document form	The 2013 plan is a traditional county planning document organized around statutory elements and baseline data. The final plan keeps the same legal framework but recasts the document in a warmer, more place-based voice and extends it into a fuller community story.	The final plan is easier for residents, board members, and applicants to read. It still functions as a legal planning guide, but it reads more like a county vision document than a consultant report.
Planning horizon: 2013-2033	Planning horizon: 2025-2035	The original plan used a 20-year horizon. The final plan resets the horizon to a 10-year update period tied to current demographics, land use, and zoning implementation.	This creates a more practical timeframe for county action, annual review, and future updates.
Relationship to zoning was implicit	Relationship to zoning is explicit	The final plan repeatedly states that it is meant to guide and support the Perkins County Zoning Regulations, including district structure, overlays, corridor policy, and discretionary review.	This matters because the final zoning ordinance is much more detailed than the 2013 version, so the plan now works as a true policy foundation rather than a background document.

2. INTRODUCTION AND FRONT MATTER

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Location / Climate / History	Our Place on the Plains / Our Prairie Weather / Our Prairie Roots	The same basic content remains, but the final plan rewrites the introduction in a story-driven tone. Geography, rail, highways, Grant's central role, and agricultural history are all retained, but the prose now emphasizes identity, connection, and rural sense of place.	This is the clearest tonal shift in the whole document. The County is no longer introduced only through facts; it is introduced as a lived place.
Comprehensive Plan History	A Legacy of Community Vision: Our Comprehensive Plan Journey	The 2013 history section was a straightforward reference to the 2000 plan and prior county officials.	The final plan broadens that discussion into a narrative about continuity, leadership, and how prior planning work shaped the current update. This helps the public understand that the new plan is an evolution, not a break from county practice.
The Purpose of Comprehensive Planning	The Vision and Value of Comprehensive Planning	The final plan expands the purpose statement from a functional planning explanation into a broader statement about stewardship, resilience, rural character, and quality of life.	The change makes the document more persuasive and public facing while preserving the legal planning function.
The Planning Process	The Planning Process: Crafting Our Future Together	The 2013 plan explained data collection, goal formation, and implementation in technical language. The final plan keeps that same process but presents it in community-centered language and ties it to annual review within the 2025–2035 window.	This improves readability without losing planning substance.
Comprehensive Plan Components	Comprehensive Plan Components: Building Our Future Together	The component list remains statutorily grounded in both versions. The final plan expands each component description and now includes an explicit Nebraska statutory-compliance statement plus a direct link to administration of the zoning regulations.	This is a major legal and administrative improvement because it makes the plan's statutory role visible on the page.

3. COMMUNITY PROFILE, POPULATION, AND DEMOGRAPHICS

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Governmental and Jurisdictional Organization	Governmental and Jurisdictional Organization: Collaborative Governance in Perkins County	The original section described county jurisdiction, ETJ, and incorporated places in a technical way. The final plan keeps the same content but updates community populations, references recent local planning work, and frames coordination as an ongoing partnership.	This strengthens intergovernmental planning and better matches the final zoning ordinance's mapped jurisdiction approach.
Demographic Profile	Demographic Profile: Understanding Our Community's Journey	The final plan retains the role of population as the driver of housing, employment, and service needs, but the language is more explanatory and resident oriented. It also updates recent estimates beyond the 2020 Census.	The chapter now tells decision-makers what the numbers mean, not just what they are.
Population Trends and Analysis	Population Trends and Analysis: Our Community's Story in Numbers	Both versions rely on long-term trend tables. The final plan updates the time series through 2020, reframes the analysis around stability versus decline, and places more attention on incorporated-vs.-unincorporated differences.	This gives the county a more current basis for housing, infrastructure, and growth discussions.
Migration Analysis	Migration Analysis: Understanding Our Community's Journey	The migration section still tracks natural increase versus net migration, but the final version places more emphasis on retention, attraction, and community quality of life as planning responses.	This supports the plan's placemaking orientation by connecting demographic change to community strategy.
Age Structure Analysis	Age Structure Analysis: The Changing Fabric of Our Community	The original focused on cohort math. The final keeps the cohort tables but interprets them in a more narrative way, emphasizing working-age adults, seniors, school-age children, and long-term community vitality.	The same data becomes more usable for boards, residents, and future policy discussions.
Population Projections	Population Projections: Looking Toward 2035	The original projections ran to 2040 as part of a 2013–2033 planning horizon. The final plan still shows longer-range scenarios, but it clearly centers 2035 as the operative planning horizon and explains the scenarios in more plain language.	This improves consistency with the adopted plan horizon and makes the projection chapter easier to follow.

4. HOUSING

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Housing Profile	Our Homes, Our Heritage / The Stories Our Homes Tell / The Fabric of Our Community / Our Homes, Our Community	The 2013 housing chapter was organized around housing stock age, tenure, conditions, and vacancy. The final plan keeps those topics but breaks them into more human-centered subchapters with a much stronger narrative voice.	Housing is no longer treated as just an inventory; it is presented as a core part of community identity and long-term livability.
Age of Existing Housing Stock	The Stories Our Homes Tell: Age of Housing in Perkins County	The final plan preserves the age-of-stock analysis but interprets historic housing as part of community character, rehabilitation need, energy efficiency, and future redevelopment strategy.	This links housing analysis to placemaking and stewardship.
Housing Trends / Tenure / Conditions	Expanded housing sections and multiple subheadings	The final plan significantly expands the chapter structure by adding discussion of household size, owner versus renter patterns, affordability, occupancy, composition by household size, and strategic housing development.	The county now has a much fuller policy basis for talking about rehabilitation, new housing, affordability, and quality standards.
Selected housing tables through 2010	Housing tables updated through 2022 ACS data	The original relied heavily on 2000 and 2010 data. The final plan updates housing values, rents, occupancy, and vacancy with more recent ACS-based information.	This makes the chapter more actionable for current housing policy and grant planning.
Housing as a functional need	Housing as a community-development asset	The final plan repeatedly links housing to workforce attraction, seniors, families, reinvestment, and pride of place.	That is a major conceptual change from compliance-oriented housing analysis to placemaking-oriented housing policy.

5. ECONOMY AND EMPLOYMENT

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Economic and Employment Profile	Perkins County Economic and Employment Profile: Driving Prosperity into the Future	The original chapter emphasized income, labor force, and commuting data. The final plan keeps those same analytic elements but presents them with more explanation and with a stronger link to community prosperity and resilience.	This makes the chapter more useful for readers outside of planning and economic development professionals.
Income Statistics / Sources / Public Assistance	Income Trends / Income Distribution by Age Group / Income Sources and Public Assistance	The final version expands the interpretive commentary around income sources and age-linked income patterns.	The county gets a better understanding of household stability, aging, and workforce conditions.
Regional Basic/Non-Basic Analysis	Regional Basic/Non-Basic Analysis: Economic Force Multipliers	The basic/non-basic framework remains, but the final chapter does more to explain what the data means for local reinvestment and economic resilience.	This is a readability and policy-translation improvement.
Commuter Trends	Commuter Trends: Connectivity and Workforce Mobility	The commuter section is retained and modernized in tone, with a stronger connection to regional access and employment flexibility.	This better supports discussions about workforce retention and regional connectivity.

6. AGRICULTURE

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Agricultural Profile	Perkins County Agricultural Profile: Cultivating Prosperity in the Heartland	The final plan expands agriculture from a data-heavy chapter into one of the clearest identity-based chapters in the document. The original statistics on farms, land in farms, livestock, and crops are retained in concept, but the narrative now emphasizes agriculture as both an economic engine and a defining part of place.	This is central to the county's placemaking approach because it treats agriculture as culture, economy, land base, and legacy all at once.
Agriculture Trends / Farm Size / Cropland	Agriculture Trends / Farm Numbers and Size / Cropland Utilization	The final plan keeps the core categories but renames and reshapes them to tell a story about efficiency, scale, productivity, and stewardship.	The chapter becomes easier to read without losing technical relevance.
Agricultural data chapter	Expanded chapter with valuation, significance, challenges, future perspective, and attainable goals	The final plan adds several entirely new framing sections, including market valuation, significance beyond economics, current challenges and opportunities, an integrated future perspective, and a dedicated attainable goals section for agriculture.	This is one of the biggest substantive expansions in the whole document. It moves agriculture from descriptive baseline to strategy platform.

7. COMMUNITY FACILITIES, SERVICES, AND PUBLIC ASSETS

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Community Facilities	Community Facilities	Both plans include recreation, education, fire/ambulance/law enforcement, county buildings, transportation facilities, communications, utilities, and health. The final plan keeps the same backbone but expands descriptions, updates facilities, and adds more community-oriented language.	The chapter now functions as both an inventory and a statement about everyday county life.
Recreation / Education / Public Buildings	Expanded recreation, education, county facilities, and historical sites sections	The final plan adds stronger narrative transitions and treats parks, museums, fairgrounds, libraries, trails, and civic buildings as community assets rather than merely listed facilities.	This directly reflects the placemaking approach you defined: local spaces are presented as part of quality of life and identity.
Health Facilities	Expanded health facilities with clinics, hospitals, elder care, and regional facilities	The health chapter is significantly fuller in the final plan and now situates local care within a regional service network.	This matters because health access becomes part of the county's long-term livability story, not just a service inventory.
Utilities / communications	Utilities / communications with updated local context	The final version updates the role of internet, fiber, communications, and related infrastructure in a more modern county-development context.	This is important for workforce attraction, business function, and quality of life.

8. ENERGY ELEMENT

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Energy Element	Energy Element	The 2013 plan already had a statutory energy element. The final plan retains that structure but broadens the chapter's narrative language and later ties energy policy more directly to the zoning regulations.	This is important because the county now has far more detailed zoning standards on energy and technology-related facilities.
Sustainability / County Resources / Infrastructure / End Use	Same core structure, but more fully integrated with broader county policy	The final plan keeps most of the original energy subtopics but presents them in a more policy-conscious way, with greater attention to local strategy and community context.	The chapter remains legally functional while becoming easier to read.
Renewable energy discussion	Renewable energy discussion plus stronger implementation context	The final plan still discusses wind, solar, geothermal, and methane/biogas, but the broader document now frames energy choices in relation to land use, infrastructure, and the zoning ordinance.	That helps the plan stay consistent with the county's final regulatory approach, especially for utility-scale uses.

9. GOALS, OBJECTIVES, AND POLICIES

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Perkins County Goals and Objectives	Goals/Objectives & Policies	The 2013 plan grouped goals and objectives more compactly. The final plan expands the chapter structure and provides clearer individual headings for population, land use, environment, education, parks and recreation, housing, economic development, transportation, and energy.	The final format is easier to navigate and much clearer for public use and administrative interpretation.
General policy statements	More developed thematic goals and objectives	The final plan uses warmer, more strategic language and more clearly connects policy areas to daily life, growth, preservation, and community resilience.	This is where the plan most clearly shifts from a consultant-style framework to a county voice.
Land use and energy objectives more general	Land use and energy objectives are more complementary to zoning	The final chapter includes stronger bridge language tying objectives to zoning implementation, development review, and county policy tools.	This makes the plan more usable in hearings, staff review, and policy interpretation.

10. ENVIRONMENT, NATURAL RESOURCES, AND MAN-MADE CONDITIONS

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Environment, Natural and Man-made Resources	Environment, Natural and Man-made Resources	The overall structure remains similar, but the final plan updates terminology, formatting, and ties some resource discussions more directly to implementation tools in the zoning ordinance.	This keeps the environmental chapter aligned with current county practice.
Natural environmental conditions / soils / flood hazards / water / air	Same major topics, updated and cross-linked to overlays and implementation	The final plan continues to address soils, prime cropland, limitations, drainage, flood hazards, water, and air quality. The later drafting process also strengthened the relationship between this chapter, and the floodplain and airport overlay concepts in zoning.	This gives environmental conditions more practical effect on future decision-making.
Man-made resources	Man-made resources with development-trend context	The final chapter preserves the original man-made-resources framework but ties it more closely to transportation, growth pressures, and land use decisions.	This supports a stronger transition into existing and future land use.

11. EXISTING LAND USE AND FUTURE LAND USE

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Existing Land Use	Existing Land Use	The final plan preserves the chapter structure but substantially expands the inventory of rural commercial, industrial, agricultural, and public/semi-public uses. Named industrial and ag-related operations are more fully described.	This gives the county a more detailed baseline for current development patterns and future compatibility analysis.
Future Land Use Plan	Future Land Use Plan	The original future land use chapter already included the concept of a Preferred Development Corridor and transitional areas. The final plan keeps those ideas but reframes them in clearer narrative language and more directly connects them to county implementation and zoning.	This is one of the most important continuity-and-change stories in the whole plan: the concept remains, but it is now better integrated into actual county administration.
Preferred Development Corridor	Preferred Development Corridor with stronger implementation role	In 2013 the corridor concept existed primarily as a future growth guidance idea. In the final plan, it becomes more explicitly linked to the final zoning regulations and to evaluation of certain higher intensity uses.	This makes the corridor concept much more meaningful in actual county decisions.
Prime cropland and non-ag transitions discussed broadly	Prime cropland and non-ag transitions discussed with more policy caution and implementation context	The final plan places more emphasis on balancing growth, infrastructure, agricultural productivity, and surrounding land-use compatibility.	This better supports modern land-use review and long-term agricultural protection.

12. TRANSPORTATION

2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Transportation Plan	Transportation Plan	The original chapter focused on road classification and improvement planning. The final chapter keeps that structure but gives more narrative attention to how transportation and land use should reinforce one another.	This improves the plan's usefulness as a cross-sector planning guide.
Transportation Planning and Land Use	Transportation Planning and Land Use	The final version more clearly treats transportation as part of future growth management, not just infrastructure maintenance.	This supports the broader placemaking and implementation themes of the final plan.
Street/highway projects and county/NDOT plans	Same core project-planning framework with updated context	The basic structure is retained, but the final chapter sits more comfortably within the overall county story and implementation sequence.	This is continuity with better integration.

13. PLAN IMPLEMENTATION

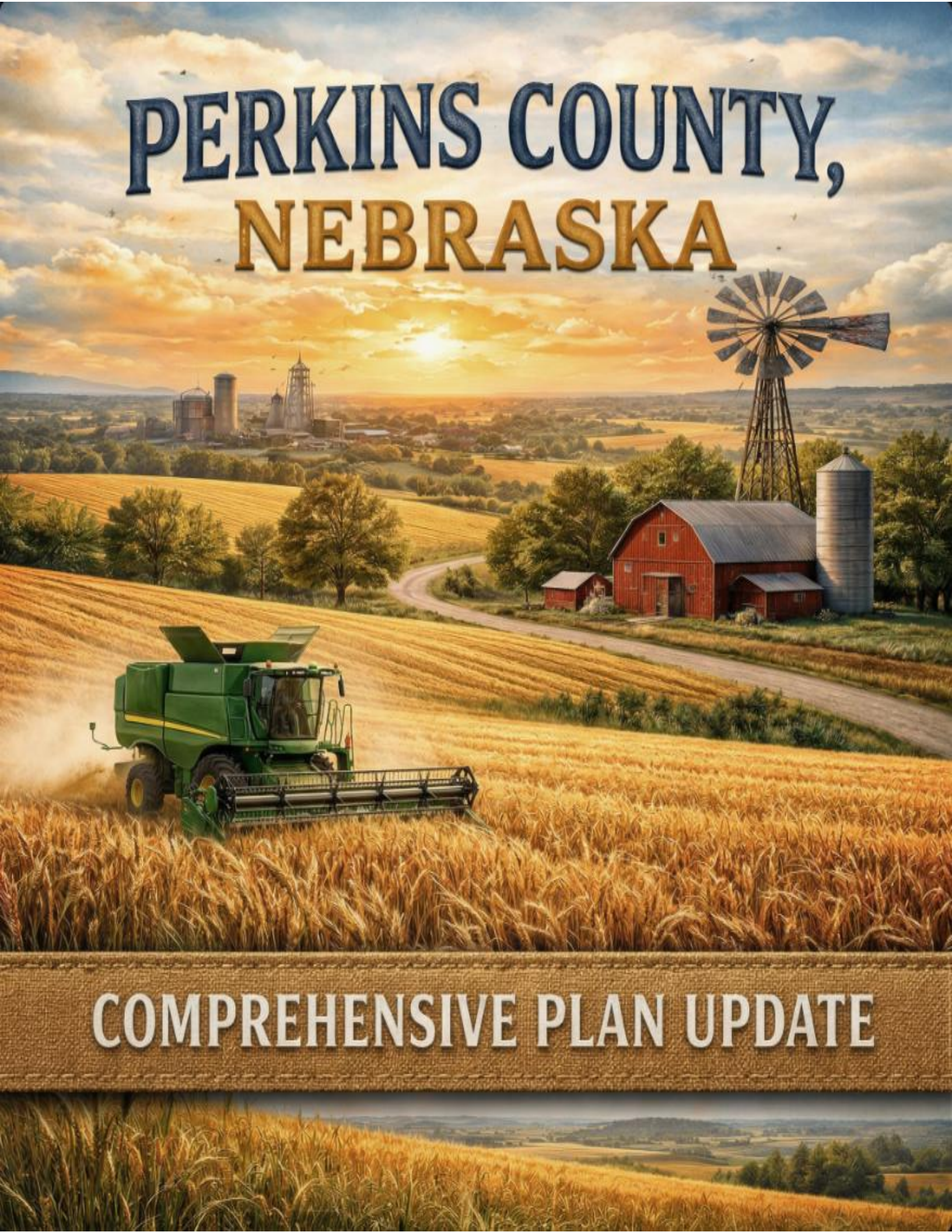
2013 Plan Section	2025–2035 Plan Section	What Changed	Why It Matters
Plan Implementation	Plan Implementation	The original implementation chapter focused on public information, action agenda, plan maintenance, and amendment procedures. The final plan keeps all of those pieces but sharpens their connection to county decision-making and zoning administration.	This is where the final plan most clearly becomes an active management document rather than a passive reference.
Public Information / Action Agenda / Plan Maintenance	Public Information / Action Agenda / Plan Maintenance	The final plan preserves the same implementation headings but presents them in a more readable and community-oriented format.	This helps both officials and residents understand how the plan is actually supposed to be used.
Methods for Evaluating Development not emphasized	Methods for Evaluating Development retained and strengthened	The final plan now treats development evaluation more explicitly as a policy checklist tied to Comprehensive Plan consistency and zoning implementation.	This is a significant administrative improvement because it gives the Planning Commission and County Board a clearer decision-making framework.
Plan as long-range reference	Plan as long-range policy guide plus zoning foundation	The final implementation chapter fits into a broader document that repeatedly states the plan supports future county decisions and consistent administration of zoning.	This is the strongest overall functional change from 2013 to 2025–2035.

BOTTOM-LINE SUMMARY

The 2013 plan and the 2025–2035 plan share the same statutory backbone. What changed most was not the existence of the required chapters, but the depth, voice, and policy integration of those chapters. The final plan is more current, more readable, more place-based, more explicit in its relationship to zoning, and more useful as a day-to-day county policy guide.

In plain language: the original plan functioned primarily as a solid baseline planning document. The final plan still does that, but it also functions as a community story, a placemaking framework, and a stronger implementation companion to the county's updated zoning regulations.

PERKINS COUNTY, NEBRASKA



COMPREHENSIVE PLAN UPDATE

PERKINS COUNTY COMPREHENSIVE PLAN PARTICIPANTS 2025

PERKINS COUNTY BOARD OF COMMISSIONERS

Steve Tucker – Commissioner
Mark Bottom – Vice Chair
Darin Robertson – Chair

PERKINS COUNTY PLANNING COMMISSIONERS

Randy Gengenbach – Chair
Gavin McClintock
Nate Dodson
Greg Robertson – Vice Chair
Tom Tines - Secretary
Jim Lampmann
Tim McQueen
Shannon Malmkar

PERKINS COUNTY

James Brueggeman – Perkins County Clerk
Peggy Burton – Perkins County Assessor
Richard Roberts – Perkins County Attorney
James Brueggeman – Perkins County Emergency Manager
Steve Leimer – Highway & Weed Superintendent
Julie Sestak – Perkins County Treasurer
Jeffery Miller – Perkins County Sheriff
West Central Nebraska Development District, Inc. – Zoning Administrator

WCNDD | WEST CENTRAL NEBRASKA DEVELOPMENT DISTRICT, INC.

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INTRODUCTION

Our Place on the Plains: Perkins County's Location and Connections

Nestled in the beautiful southwest region of Nebraska, Perkins County occupies a special place on the Great Plains, where rolling hills meet wide-open skies, and agricultural landscapes stretch to the horizon. Our county is cradled by neighboring communities that, together with us, form the rich tapestry of this region – Chase County to the south, Hayes County to the southeast, Keith County to the north, and Lincoln County to the east. We also share our western border with Colorado's Sedgwick County, while Phillips County, Colorado touches our southwestern corner, creating meaningful connections across state lines.

At the heart of our 884 square miles lies Grant, our welcoming county seat and largest community (population 1,197 as of 2020), positioned almost perfectly in the center of the county. This central location has made Grant a natural gathering place for commerce, education, healthcare, and community life throughout our history.

Just 20 miles north of Grant is the city of Ogallala (population 4,878 as of 2020), the seat of Keith County and an important regional center that provides additional services, shopping, and recreational opportunities for our residents. Lake McConaughy, Nebraska's largest reservoir, is located near Ogallala and offers wonderful outdoor recreation options for our community.

Transportation has always been vital to our agricultural economy and community connections. The Nebraska-Kansas-Colorado Railway (NKCR) serves our region, providing essential freight service that supports our agricultural producers and businesses. State Highways 61 (running north-south) and 23 (running east-west) intersect in Grant, creating convenient corridors for travel and commerce throughout the county and connecting us to Interstate 80, just 20 miles to the north.

These transportation networks not only facilitate the movement of agricultural products to market but also connect our residents to educational opportunities, healthcare services, and cultural experiences throughout the region. They represent the physical manifestations of the strong bonds that tie Perkins County to our neighboring communities and the wider world.

Our strategic location in southwest Nebraska, with its fertile soil and favorable climate for certain crops, has shaped our economy and way of life for generations. As we look to the future, these geographic advantages continue to provide opportunities for sustainable growth while honoring the agricultural heritage that has always been central to our identity.

Our Prairie Weather: The Climate of Perkins County

The climate that shapes our land and lives in Perkins County is as dynamic and resilient as the people who call it home. Our sub-humid climate offers a fascinating rhythm of seasons, with temperature and moisture patterns that have nurtured generations of agricultural traditions while occasionally challenging us with their extremes.

Throughout the year, our temperature typically ranges from about 16°F in the coldest winter months to around 89°F during summer's peak. Winter days bring crisp, invigorating air as continental cold fronts sweep across our prairie landscape, while summer offers warm sunshine that nurtures our crops and gardens. This seasonal variation is characteristic of our Great Plains location, far from the moderating influences of oceans, creating a climate that teaches adaptability and appreciation for nature's changing moods.

During our warm summer months, the average temperature hovers around 74°F, with typical daily highs reaching near 89°F. These summer temperatures, combined with our longer daylight hours, create ideal growing conditions for the crops that have long been the backbone of our local economy. As evening falls, temperatures typically moderate to provide comfortable relief – perfect for community gatherings, outdoor recreation, and porch conversations with neighbors.

Winters bring a different kind of beauty to Perkins County, with average temperatures around 25°F and typical overnight lows near 16°F. While snowfall is a regular winter feature, it rarely creates continuous snow cover throughout the season, allowing for accessibility and outdoor activity even in the colder months. The clear winter skies often treat us to spectacular stargazing opportunities and breathtaking sunrises that paint our snow-dusted landscape in golden hues.

Our annual precipitation of approximately 19 inches nourishes our fields, gardens, and natural landscapes. Most of this moisture – about 79% – arrives during the critical growing season from April through September, supporting our agricultural activities when plants need it most. The seasonal distribution of rainfall, with its heaviest amounts in late spring and early summer, aligns beautifully with the needs of many crops grown in our area.

Winter brings an average seasonal snowfall of about 29 inches, which not only adds beauty to our winter landscape but also provides valuable moisture that slowly percolates into the soil as it melts in spring. Throughout the year, we enjoy abundant sunshine – approximately 70% of daylight hours during summer and 60% during winter – giving Perkins County more bright days than many other parts of the country.

Prevailing winds add another dimension to our climate, helping to moderate temperatures while occasionally presenting challenges during storm seasons. These winds are part of the larger weather patterns that have shaped our land and influenced farming practices for generations.

Understanding our climate helps us appreciate both its gifts and challenges, as we continue to adapt and thrive in this special corner of Nebraska that we proudly call home.

Our Prairie Roots: The History of Perkins County

The story of Perkins County begins with the courageous homesteaders who ventured westward in the early 1880s, drawn by the promise of new beginnings on the Great Plains. These pioneer families established their claims through both the Homestead Act and the Timber Culture Act, the latter allowing settlers to claim 160 acres by planting and maintaining a specified number of trees – a forward-thinking conservation measure that brought vital greenery to our prairie landscape.

Among the first to put down roots in this region were cattle ranchers who sought to raise their herds on the vast open ranges. These early ranchers faced significant challenges, particularly the scarcity of reliable water sources for their livestock. As more settlers arrived, they recognized the area's potential for farming, despite the semi-arid conditions.

Originally part of Keith County to the north, our area developed its own distinct identity based on geographic and agricultural differences. While the lands north of the Platte River consisted primarily of Sandhills better suited for cattle ranching, our region featured High Plains geography more conducive to farming. This natural distinction, along with the considerable size of Keith County, led the farming families south of the Platte to petition for their own county.

Their vision became reality in 1887 when Perkins County was officially established following a successful countywide election in November of that year. The county bears the name of Charles E. Perkins, who served as president of the Chicago, Burlington and Quincy Railroad – a recognition of the vital role railroads played in connecting our communities with the wider world. Some local accounts suggest an alternative namesake: Joseph Perkins, an early resident of Grant, though historical records more strongly support the railroad connection.

The town of Grant, our county seat, was established in March 1886 and named in honor of Ulysses S. Grant, the Civil War general who led Union forces to victory and later served as the 18th President of the United States. In an interesting historical footnote, Grant was initially platted about three-quarters of a mile north of its current location. When the Chicago, Burlington and Quincy Railroad was extended through the area, the entire young town was moved closer to the tracks to benefit from this critical transportation connection. After a spirited competition with Madrid and other settlements to become the county seat, Grant was selected following a legal challenge that went all the way to the District Court in October 1888.

The arrival of the Burlington and Missouri Railroad Company (later part of the Chicago, Burlington and Quincy system) in the 1880s marked a transformative moment for Perkins County. The east-west railway provided a vital link for agricultural products to reach distant markets and brought manufactured goods, new settlers, and ideas to our growing communities.

Agriculture quickly emerged as the backbone of our local economy. By 1920, winter wheat had become the dominant crop cultivated on approximately 25% of county acreage. The 1930s brought severe drought and dust storms that challenged our farming community but also inspired the implementation of innovative soil conservation practices to prevent wind erosion and preserve precious soil moisture. These sustainable practices, born of adversity, continue to influence our agricultural methods today.

By 1980, wheat cultivation had expanded to about 190,000 acres and corn to 88,000 acres, reflecting both growing productivity and changing market demands. Prior to the 1960s, irrigation was not widely developed in the county due to the absence of perennially flowing streams or water bodies large enough to provide sufficient irrigation water.

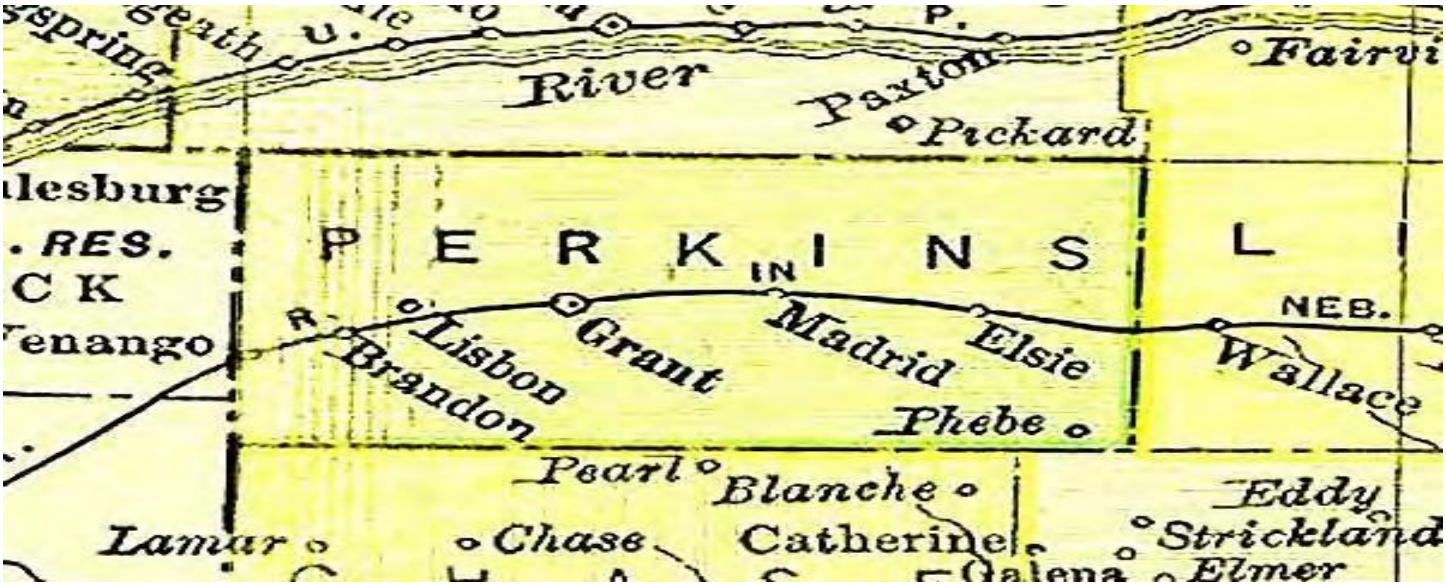
The agricultural landscape was transformed starting in the 1960s with the development of deep wells capable of tapping the region's groundwater resources. In January 1967, the county had just 66 irrigation wells. By 1981, that number had grown dramatically to 756 wells, supplying water to approximately 115,000 acres of cropland. The expansion continued, and by 1986, Perkins County had 866 irrigation wells, enabling more productive and consistent crop yields even during periods of low rainfall.

Our county's population has experienced gradual changes over the decades. According to the 2020 Census, Perkins County is home to 2,858 residents, a modest decline from 2,970 in 2010 and 3,200 in 2000. Grant remains our largest community and county seat with a 2020 population of 1,197, showing encouraging signs of stability and even slight growth in recent years. Other vibrant communities in our county include Madrid, Venango, and Elsie, as well as the unincorporated communities of Brandon and Grainton.

Throughout our history, Perkins County residents have demonstrated remarkable resilience, adaptability, and community spirit – qualities that continue to define us today as we honor our heritage while embracing the opportunities of tomorrow.

For a more complete history, readers are encouraged to explore "Plainscape: A Portrait of Perkins County," published in 1987 by Robert Richter and Larry Gauthier, Grant, NE: Perkins County Historical Society.

Figure 1: Map, Perkins County, 1895



SOURCE: HTTP://WWW.LIVGENMI.COM/1895/NE/COUNTY/PERKINS.JPG

A Legacy of Community Vision: Our Comprehensive Plan Journey

This 2025 Comprehensive Plan represents another milestone in our continuous journey of thoughtful planning for Perkins County's future. It builds upon the strong foundation established by the 2013 Plan, which itself was a testament to our community's commitment to proactive development and stewardship of our shared resources.

The 2013 Plan was guided by the dedicated leadership of County Commissioners Michael Perlinger, James Deaver, and Mary Buss. Their work helped establish many of the planning principles that continue to shape our approach today, particularly around balancing agricultural heritage with opportunities for sustainable growth.

Equally important was the thoughtful work of our 2013 Planning Commission members, whose diverse perspectives and deep community knowledge proved invaluable: Dennis Demmel (who served as Chair), Bill Richmond (who kept meticulous records as Secretary/Treasurer), James Harms, Eloise Hughes, Joe Krajewski, Greg Pelster, Ardyth Triplette, John Vlasin, and Larry Walters. Many of the key initiatives they championed – from housing rehabilitation programs to water conservation approaches – have yielded positive results that we can see throughout our communities today.

This 2025–2035 Comprehensive Plan honors that legacy of community-driven planning while addressing the opportunities and challenges now shaping Perkins County. As we noted in the demographic analysis, our county's population has continued to gradually decline, though the rate of decline has slowed and attracting new residents remains a central planning priority. This Plan incorporates these trends alongside other developments in agricultural technology, renewable energy, and changing housing needs that have emerged since 2013.

Throughout this continuous planning process – from the initial comprehensive planning efforts of the early 2000s, through the 2013 update, and now with our 2025 Plan – the consistent thread has been the passionate involvement of county residents who care deeply about our shared future. Their contributions, alongside the expert guidance of local leaders, ensure that Perkins County remains a place where thoughtful planning transforms community aspirations into reality.

The Vision and Value of Comprehensive Planning

A Comprehensive Plan serves as Perkins County's strategic blueprint for thoughtful growth and sustainable development across its rolling rural landscapes and close-knit unincorporated communities. This living document establishes clear policy frameworks that empower neighbors and county officials to make forward-thinking decisions rooted in the community's shared hopes and dreams for its future.

The Comprehensive Plan functions as a navigational tool, charting a deliberate course through changing conditions while preserving the county's unique rural character, agricultural heritage, and the genuine connections that make Perkins County feel like home.

By providing well-defined guidelines for future development, the Plan nurtures a resilient economic foundation that supports local families and advances community priorities. This thoughtful approach allows county officials to carefully evaluate how new developments might affect everything from economic opportunities to the warmth of community gatherings.

The Plan creates a balanced framework that respects entrepreneurial spirit while safeguarding the landscapes and small-town atmosphere that generations have cherished. It establishes a practical decision-making structure that honors both progress and tradition.

Ultimately, strategic, planned growth enables Perkins County to care for its residents more personally, utilize resources more responsibly, and enhance the quality of life that makes this corner of western Nebraska special. The Comprehensive Plan represents our shared commitment to thoughtful stewardship of our collective future, ensuring that as we grow, we strengthen rather than diminish the community bonds, rural values, and natural beauty that make Perkins County a place we're proud to call home.

The Planning Process: Crafting Our Future Together

Planning begins with gathering the stories and data that paint a rich picture of our community's journey through time. By carefully collecting information from our neighborhoods, farms, and local businesses, we create a detailed portrait that helps us understand where we have been and where we stand today. This thoughtful analysis provides the foundation for envisioning where our Perkins County family might grow tomorrow.

In the heart of our process is the development of shared goals and practical policies – created not just as abstract concepts, but as genuine pathways for nurturing what works well and thoughtfully addressing what could be better. Our Comprehensive Plan becomes a collective vision, expressed through conversations, images, and information that represent our community's hopes and dreams for the next chapter of our story.

This blueprint touches every aspect of county life – from population and land use to transportation, housing, employment, and the facilities and utilities that connect our communities. Each recommendation in the plan has been considered to bring practical value to county residents and to the places they rely on every day.

The final phase – bringing this vision to life – requires a thoughtful toolkit of approaches. While the Plan identifies these methods, its success truly depends on the commitment of our elected officials and, most importantly, the ongoing engagement of residents like you. The Perkins County Planning Commission has guided this work with the dedicated involvement of our County Board of Commissioners and the generous participation of community members who shared their time and wisdom.

As our Plan looks toward 2035, we recognize that life brings unexpected opportunities and challenges. That is why this Plan should be reviewed annually and updated as needed during the 2025-2035 planning period, with a more thorough revision undertaken before the next planning cycle begins. This living document will grow and adapt with us, ensuring that the future we build together reflects both our enduring values and the new possibilities we discover along the way as we nurture the community we are proud to call home.

Comprehensive Plan Components: Building Our Future Together

In accordance with Nebraska State Statutes (Neb. Rev. Stat. § 23-114.02), our Comprehensive Plan combines visual elements and written text to guide Perkins County's long-term development. The statute requires that our plan include specific components, which we have thoughtfully integrated to create a roadmap that reflects both legal requirements and our community's unique character:

- **Community Profile**: A portrait of who we are – our people, neighborhoods, and distinct identity
- **Community Facilities**: The shared spaces and services that connect us
- **Energy Element**: Our approach to sustainable energy use and conservation
- **Goals/Objectives and Policies**: Our shared vision and practical steps to achieve it
- **Environment, Natural and Man-made Resources**: The landscapes and resources we cherish and steward
- **Existing Land Use**: How we currently utilize our 884 square miles
- **Future Land Use Plan**: Our vision for thoughtful development
- **Transportation Plan**: How we'll connect our communities and resources
- **Plan Implementation**: The tools and timelines to bring our vision to life

By examining our community's journey - through demographic shifts, housing patterns, economic trends, and social connections - we can better anticipate what lies ahead. While projections help us prepare, we recognize that conditions can change. That is why our approach includes regular monitoring of population, housing, infrastructure, and economic indicators so the plan can be adjusted when warranted.

This adaptability ensures our Comprehensive Plan remains a living document rather than a static report gathering dust on a shelf. By staying attuned to changes, we can adjust our course while maintaining our core values and vision.

The Comprehensive Plan tells the story of where Perkins County has been, where we stand today, and the path we are shaping together through 2035. It serves as a trusted guide for our community leaders when making decisions that affect our shared future. Through thoughtful implementation of this plan, we will continue building a Perkins County that honors our heritage while embracing the promising opportunities that lie ahead.

This Comprehensive Plan is intended to satisfy the content requirements of Nebraska law for county comprehensive planning and to serve as the long-range policy guide for Perkins County from 2025 through 2035. It includes the land use, transportation, energy, community facilities, population, economic, and implementation components needed to guide future county decisions and to support consistent administration of the Perkins County Zoning Regulations.

Governmental and Jurisdictional Organization: Collaborative Governance in Perkins County

The governmental functions of Perkins County, Nebraska, are overseen by our dedicated County Board of Commissioners, consisting of three elected officials who serve staggered four-year terms. As of 2025, our commissioners bring diverse expertise with backgrounds in agriculture, business management, and community development, collectively representing over 40 years of public service to our community.

Each of our incorporated communities in Perkins County has its own elected leadership who thoughtfully guides local decision-making. These community leaders work in partnership with county officials to address shared challenges and opportunities.

Under Nebraska law, incorporated communities that have adopted comprehensive planning and zoning regulations may exercise extraterritorial zoning jurisdiction beyond their corporate limits where authorized by statute. In Perkins County, these jurisdictional boundaries should be interpreted consistently with the official zoning maps and applicable intergovernmental arrangements in effect at the time of decision-making. Of our four incorporated communities – the City of Grant (population 1,197) and the Villages of Elsie (population 106), Madrid (population 242), and Venango (population 157) – several have been proactive in planning efforts.

The Village of Venango completed its comprehensive planning process in 2023, joining Madrid and Grant in exercising local planning authority where applicable. Continued coordination among the county and its incorporated communities remains important so that future land use, infrastructure, and development decisions are aligned across jurisdictional boundaries.

The unincorporated communities of Brandon and Grainton, with their rich historical ties to our county's agricultural heritage, fall under county jurisdiction. These small settlements, though modest in population, contribute significantly to our county's cultural identity and rural character.

As authorized by Nebraska Revised Statutes §23-114 and related statutes, Perkins County's planning and zoning jurisdiction encompasses the unincorporated portions of the county, excluding incorporated municipal limits and those extraterritorial areas where municipal jurisdiction has been lawfully established. This collaborative governance structure allows us to honor the unique character of each community while working together toward a shared vision for our county's future.

Perkins County Profile

Demographic Profile: Understanding Our Community's Journey

Population trends tell the story of our community – where we have been, where we stand today, and the path we're traveling together. For Perkins County residents, understanding these patterns helps us make thoughtful decisions about our shared future.

Perkins County had 2,858 residents in the 2020 Census. More recent U.S. Census Bureau estimates place the county at 2,779 residents as of July 1, 2024, suggesting that the county has continued to experience modest population decline since 2020 rather than sustained growth. These figures underscore the importance of planning for stability, service efficiency, and long-term resiliency.

Our demographic composition has evolved as well. Our median age, based on 2020 American Community Survey estimates, reflects our balanced community of long-time residents and younger families – a figure between the 2010 decennial census median of 43.9 years and current ACS estimates, underscoring the importance of monitoring this trend annually. The percentage of residents under 18 stood at 26.0% in 2020 per American Community Survey estimates, as shown in Table 3, representing a cohort vital to school enrollment and future workforce development.

Population serves as the heartbeat behind our housing needs, local employment opportunities, and the economic and fiscal health of our communities. By understanding these trends, we can better anticipate future needs for housing (including the new parcels currently under construction in Grant), healthcare services (supporting our recently funded Community Care Center), education facilities, and retail development (like our growing farmers market network).

While projections help guide our planning, they remain estimates rather than guarantees. Unforeseen factors such as agricultural technology, regional employment conditions, remote work patterns, energy development, or broader economic shifts may influence actual growth or decline. That is why our planning approach must remain flexible and responsive while preserving the close-knit character that makes Perkins County special.

By monitoring these demographic shifts with care, we ensure that our land-use decisions and community investments reflect both our current needs and our aspirations for the future we are building together.

Population Trends and Analysis: Our Community's Story in Numbers

Understanding our population trends helps us see not just where we have been, but where we might be heading together. Looking at historical data alongside recent figures gives us a clearer picture of Perkins County's demographic journey and helps us plan thoughtfully for our future.

After decades of gradual decline, Perkins County remained at 2,858 residents in the 2020 Census. More recent U.S. Census Bureau estimates indicate continued modest decline rather than growth following 2020. For planning purposes, the county should therefore prepare for near-term population stability to slight decline unless local economic or housing conditions materially change.

The 2020 Census shows that Grant, the county seat, had 1,197 residents, Madrid had 242 residents, Elsie had 106 residents, and Venango had 157 residents. These figures, together with the long-term trend data in Table 1, show that incorporated places have generally been more stable than the county's unincorporated areas over time.

Our demographic composition is also changing. As shown in Table 3, the county's median age increased from 43.9 in 2010 to 45.2 in 2020, and the share of residents age 65 and older rose from 20.3 percent to 22.2 percent over the same period. These trends indicate an aging population and reinforce the need to plan for housing, healthcare, transportation, and community services that serve residents across all life stages.

While Grainton did become unincorporated between 1990 and 2000, it remains an important part of our county's heritage. Local efforts have preserved its historic buildings and its small-town relevance.

Table 1: Population Trends, Perkins County and Communities, 1980 to 2020

Community	1980	1990	% Change 1980 to 1990	2000	% Change 1990 to 2000	2010	% Change 2000 to 2010	2020	% Change 2010 to 2020	% Change 1980 to 2020
Elsie	133	153	15.04%	139	-9.15%	106	-23.74%	106	0.00%	-20.30%
Grainton*	20	16	-20.00%	0	-100.00%	0	N/A	0	N/A	-100.00%
Grant	1,270	1,239	-2.44%	1,225	-1.13%	1,165	-4.90%	1,197	2.75%	-5.75%
Madrid	284	288	1.41%	265	-7.99%	231	-12.83%	242	4.76%	-14.79%
Venango	230	192	-16.52%	175	-8.85%	164	-6.29%	157	-4.27%	-31.74%
Incorporated Areas	1,937	1,888	-2.53%	1,804	-4.45%	1,666	-7.65%	1,702	2.16%	-12.13%
Unincorporated Areas	1,700	1,479	-13.00%	1,396	-5.61%	1,304	-6.59%	1,156	-11.35%	-32.00%
Perkins County	**3,637**	**3,367**	**-7.42%**	**3,200**	**-4.96%**	**2,970**	**-7.19%**	**2,858**	**-3.77%**	-21.42%

Source: U.S. Census Bureau, 1980/1990/2000/2010/2020 *Unincorporated

These trends give us useful perspective as we plan for a future that honors our past while responding thoughtfully to new opportunities and changing conditions. By understanding where we've been, we can better shape where we're going – together as one Perkins County community.

Table 1 above reveals some interesting trends for Perkins County and its communities:

1. While Perkins County as a whole continued to experience population decline between 2010 and 2020 (dropping by 3.8% to 2,858 residents), this represents a slower rate of decline compared to previous decades.
2. Some communities showed signs of recovery during the 2010-2020 period. Grant, the county seat, grew by 2.75% to reach 1,197 residents, and Madrid experienced even stronger growth at 4.76%, bringing its population to 242.
3. Elsie maintained its population of 106 residents without change during this period, showing stability after previous declines.
4. Venango continued its gradual decline, losing 4.27% of its population to reach 157 residents by 2020.
5. The incorporated communities as a group showed positive growth (2.16%) for the first time in decades, while the unincorporated areas experienced an accelerated decline (-11.35%).
6. Looking at the 40-year trend from 1980 to 2020, Perkins County's overall population has declined by 21.42%, with the unincorporated areas experiencing the most significant losses (-32.0%).
7. Grant has shown the most resilience among the communities, with a total decline of just 5.75% over the 40-year period.

This data provides valuable context for future planning, highlighting both challenges and opportunities for sustainable development in Perkins County.

Migration Analysis: Understanding Our Community's Journey

Migration patterns tell us an important story about how our Perkins County family is changing over time. By examining who joins our community and who departs, we gain valuable insights into the forces shaping our county's future and the opportunities to strengthen our connections.

Table 2: MIGRATION ANALYSIS – PERKINS COUNTY, 1970 TO 2020

Time Period	Total Change (persons)	Natural Change (persons)	Total Migration (Persons)
1970-1980	214	190	24
1980-1990	(270)	118	(388)
1990-2000	(167)	(110)	(57)
2000-2010	(230)	(27)	(203)
2010-2020	(112)	(15)	(97)
Total	**(565)**	**156**	**(721)**

Source(s): U.S. Census Bureau 1970/1980/1990/2000/2010/2020 / Nebraska Department of Health and Human Services System, Vital Statistics Report(s), 1970–2020

Looking at our migration story, we can see that Perkins County has experienced population changes primarily due to residents relocating elsewhere, though this trend has shown encouraging improvement in recent years. Between 1970 and 2020, our community saw an overall change of 565 neighbors, with 156 more births than deaths during this period, resulting in a net out-migration of 721 residents.

The 2010-2020 decade shows a slower pace of out-migration than several earlier decades, with net out-migration of 97 persons compared with 203 persons from 2000 to 2010. While still a loss, this moderation suggests that recent population decline has been less severe than in some earlier periods. While this moderation is noteworthy, it should be interpreted cautiously and monitored alongside future census and vital statistics updates.

The 1970s stand out as the county's only decade of net in-migration in this table. Subsequent decades show recurring out-migration, although the magnitude has varied over time. This pattern reinforces the importance of supporting housing, workforce, and quality-of-life strategies that help retain current residents and attract new households.

Age Structure Analysis: The Changing Fabric of Our Community

Understanding the age makeup of our Perkins County community helps us better prepare for the future we're building together. By examining how our different age groups are changing, we can identify important trends that affect everything from school enrollment to healthcare needs to housing priorities. Like a family photo album that shows children growing and elders aging gracefully, our demographic portrait reveals the evolving story of who we are.

When we look at which age groups are growing or declining, we gain valuable insights into how to best serve everyone from our youngest residents to our cherished seniors. Larger groups of young adults (20-44 years) suggest a bright future with continued growth potential, while significant older populations highlight the importance of ensuring proper services are available to support our seniors' quality of life.

Table 3: Age-Sex Characteristics, Perkins County, 2000 to 2020

Age	2000		2010		2020		2000-2010		2010-2020		Cohort Change	
	Male and Female	% of Total	Male and Female	% of Total	Male and Female	% of Total	Net Change	% Change	Net Change	% Change	2000-2020	% Change
0 to 4	173	5.40%	194	6.50%	175	6.10%	21	12.10 %	-19	-9.80%	2	1.20%
4 to 9	225	7.00%	212	7.10%	198	6.90%	-13	-5.80%	-14	-6.60%	-27	-12.00 %
10 to 14	265	8.30%	208	7.00%	201	7.00%	-57	-21.50 %	-7	-3.40%	-64	-24.20 %
15 to 19	261	8.20%	168	5.70%	170	5.90%	-93	-35.60 %	2	1.20%	-91	-34.90 %
20 to 24	119	3.70%	130	4.40%	122	4.30%	11	9.20%	-8	-6.20%	3	2.52%
25 to 29	163	5.10%	147	4.90%	152	5.30%	-16	-9.80%	5	3.40%	-11	-6.75%
30 to 34	142	4.40%	159	5.40%	160	5.60%	17	12.00 %	1	0.60%	18	12.68 %
35 to 44	446	13.90 %	304	10.20 %	330	11.50 %	-142	-31.80 %	26	8.60%	-116	-26.01 %
45 to 54	471	14.70 %	426	14.30 %	318	11.10 %	-45	-9.60%	-108	-25.40 %	-153	-32.48 %
55 to 64	318	9.90%	420	14.10 %	397	13.90 %	102	32.10 %	-23	-5.50%	79	24.84 %
65 to 74	246	7.70%	290	9.80%	375	13.10 %	44	17.90 %	85	29.30 %	129	52.44 %
75 & Older	371	11.60 %	312	10.50 %	260	9.10%	-59	-15.90 %	-52	-16.70 %	-111	-29.92 %
Total	**3,200**	**100.00 %**	**2,970**	**100.00 %**	**2,858**	**100.00 %**	**-230**	**-7.20%**	**-112**	**-3.80%**	**-342**	**-10.70 %**

2000		2010		2020		2000-2010		2010-2020		2000-2020	
Under 18 years of age	924	Under 18 years of age	782	Under 18 years of age	744	18 and under	**-142**	18 and under	**-38**	18 and under	**-180**
% of total population	28.90 %	% of total population	26.30 %	% of total population	26.00 %	% change	**-15.40 %**	% change	**-4.90%**	% change	**-19.50 %**
Total 65 yrs and older	617	Total 65 yrs and older	602	Total 65 yrs and older	635	65 and older	**-15**	65 and older	**33**	65 and older	**18**
% of total population	19.30 %	% of total population	20.30 %	% of total population	22.20 %	% change	**-2.40%**	% change	**5.50%**	% change	**2.90%**
Median Age	40.7	Median Age	43.9	Median Age	45.2	Median Age	**3.2**	Median Age	**1.3**	Median Age	**4.5**
Total Females	1,594	Total Females	1,471	Total Females	1,422	Total Females	**-123**	Total Females	**-49**	Total Females	**-172**
Total Males	1,606	Total Males	1,499	Total Males	1,436	Total Males	**-107**	Total Males	**-63**	Total Males	**-170**
Dependency Ratio	0.85	Dependency Ratio	0.82	Dependency Ratio	0.87	Dependency Ratio	-0.03	Dependency Ratio	0.05	Dependency Ratio	0.02

Source: U.S. Census Bureau 2000-2020

Looking at our community's age structure over two decades reveals both challenges and encouraging signs. While Perkins County's population has decreased from 3,200 residents in 2000 to 2,858 in 2020, the rate of decline moderated from 7.2% in 2000-2010 to 3.8% in 2010-2020. This trend suggests a more gradual pace of change in the most recent decade, though continued monitoring remains important.

Several adult age cohorts showed growth in the most recent decade. The 25-29, 30-34, and 35-44 age groups all increased between 2010 and 2020, which may reflect improved retention of working-age adults and family-forming households. This positive trend is particularly important for our long-term vitality, as these residents represent our workforce backbone and future community leaders.

The cohort analysis shows that our 10-14 age group in 2020 grew by 3.6% compared to what we would expect from the 0-4 age group in 2010, indicating that some families with young children moved into our community during this period. Similarly, our 25-29 and 30-34 age groups show positive cohort changes of 16.9% and 8.8% respectively, suggesting that Perkins County is becoming increasingly attractive to young adults establishing their careers and families.

Looking at the broader historical picture, we can see that our senior population (65 and older) has shifted from 19.3% of our total population in 2000 to 22.2% in 2020, reflecting both the national aging trend and the quality of life that makes Perkins County an appealing place to retire and age in place. This growth presents opportunities to develop enhanced services that support our seniors' ability to remain active and engaged community members.

Our dependency ratio, which measures the proportion of non-working age population to working-age population, has remained relatively stable over the 20-year period (0.85 in 2000, 0.87 in 2020), with a slight dip to 0.82 in 2010. This reflects our relatively balanced population structure, with a sustainable proportion of working-age residents supporting our younger and older generations.

As we plan for our shared future, these demographic insights help us ensure that Perkins County remains a nurturing community where residents of all ages can thrive together. By understanding where we've been and where we are now, we can make thoughtful decisions that honor our past while building toward a vibrant tomorrow.

Our Perkins County family has experienced meaningful shifts in our age composition over the years, with encouraging growth in several important age groups. By looking at how specific age cohorts have changed over time, we can better understand who is joining our community, who is leaving, and how we might shape policies to foster the vibrant, multigenerational community we all desire.

The newest members of our community – our children aged 0 to 4 and 5 to 9 – always represent new growth in our population. As we look at the patterns across multiple decades, we can see both challenges and opportunities for our future.

Table 4: Cohorts Changes, 2000 to 2020

2000 Age Cohort	Number	2010 Age Cohort	Number	2020 Age Cohort	Number	Change
0 to 4 years	173 persons	0 to 4 years	194 persons	0 to 4 years	175 persons	+2 persons
5 to 9 years	225 persons	5 to 9 years	212 Persons	5 to 9 years	198 persons	-27 persons
10 to 14 years	265 persons	10 to 14 years	208 Persons	10 to 14 years	201 persons	-64 persons
15 to 19 years	261 persons	15 to 19 years	168 Persons	15 to 19 years	170 persons	-91 persons
20 to 24 years	119 persons	20 to 24 years	130 persons	20 to 24 years	122 persons	+3 persons
25 to 29 years	163 persons	25 to 29 years	147 persons	25 to 29 years	152 persons	-11 persons
30 to 34 years	142 persons	30 to 34 years	159 persons	30 to 34 years	160 persons	+18 persons
35 to 44 years	446 persons	35 to 44 years	304 persons	35 to 44 years	330 persons	-116 persons
45 to 54 years	471 persons	45 to 54 years	426 persons	45 to 54 years	318 persons	-153 persons
55 to 64 years	318 persons	55 to 64 years	420 persons	55 to 64 years	397 persons	+79 persons
65 to 74 years	246 persons	65 to 74 years	290 persons	65 to 74 years	375 persons	+129 persons
75+ years	371 persons	75+ years	312 persons	75+ years	260 persons	-111 persons
Total Change						**-342 persons**

Source: U.S. Census Bureau 2000, American Community Survey 2006-2020

Looking at the age makeup of our Perkins County community over twenty years reveals important patterns that help us understand our shared journey and plan thoughtfully for our future together. The table shows both challenges we face and reasons for optimism as we work to strengthen our community bonds.

Table 4 shows a comprehensive picture of how our population has changed across key age groups from 2000 to 2020. Overall, Perkins County has experienced a population decrease of 342 persons during this twenty-year period, but the changes aren't uniform across all age groups. Some cohorts have shown remarkable resilience and even growth, while others reflect the challenges common to many rural communities.

Several age groups have shown encouraging growth. Our 65-74 age bracket has increased significantly by 129 persons, reflecting both the aging of our existing residents and the appeal Perkins County holds for those seeking a high quality of life in their retirement years. The 55-64 age group also saw a substantial growth of 79 persons, suggesting that many in their pre-retirement and early retirement years are choosing our community.

Our young adult population shows some promising trends as well. The 30-34 age group grew by 18 persons, while the 20-24 cohort saw a modest increase of 3 persons. These increases, though smaller, are particularly meaningful as they represent the young workforce and family-formation age groups that are vital to our community's future vitality.

We do face challenges in some key areas. Our middle-aged population (35-44 and 45-54 age groups) has declined by 116 and 153 persons respectively. This represents a significant decrease in what would typically be our core workforce and family-raising population. Similarly, our school-age population (5-9, 10-14, and 15-19 age groups) has declined by a combined 182 persons over the twenty-year period.

The 75+ age group decreased by 111 persons, reflecting natural life cycle changes in our senior population, though the proportion of seniors in our total population has increased.

These age structure shifts present both opportunities and challenges for Perkins County. The growth in our near-retirement and retirement-age population brings wisdom, experience, and community involvement, while the modest increases in some younger adult cohorts offer promise for future stability. However, the decline in middle-aged adults and school-age youth signals a need for continued efforts to attract and retain families and working-age residents.

By understanding these demographic patterns, we can better tailor our economic development, housing, educational, and community service strategies to build on our strengths while addressing our challenges, ensuring that Perkins County remains a nurturing community for all ages for generations to come.

Population Projections: Looking Toward 2035

Projecting our community's future population is like planning for a family's future – it requires careful consideration of our past journey, present circumstances, and the countless possibilities that lie ahead. These projections serve as our compass, helping us navigate the important decisions that will shape Perkins County for generations to come.

By examining our population patterns, we gain valuable insights that allow us to create different scenarios for our shared future. While many factors – from economic opportunities to quality-of-life considerations – may influence these projections, they represent our best tool for thoughtful planning. The following projections offer a window into possible futures for Perkins County as we plan through 2035.

Trend Line Analysis

Trend Line Analysis helps us understand potential population changes by examining patterns over specific time periods. For Perkins County, we have analyzed three different historical perspectives: 1980 to 2020, 1990 to 2020, and 1970 to 2020. Each perspective tells a slightly different story about the range of futures Perkins County may face during the 2025-2035 planning period.

Perkins County Trend Analysis

Year	1980 to 2020	1990 to 2020	1970 to 2020
2025	2,742 persons	2,776 persons	2,815 persons
2030	2,626 persons	2,694 persons	2,772 persons
2035	2,510 persons	2,612 persons	2,729 persons
2040	2,394 persons	2,530 persons	2,686 persons
2045	2,278 persons	2,448 persons	2,643 persons

Cohort Survival Analysis

The Cohort Survival Analysis takes a more nuanced approach by looking at specific age groups and gender distributions within our population. This method projects how different generations will move through life stages in Perkins County, accounting for birth rates and natural population changes.

The standard Cohort Survival Model suggests that after the modest decline experienced between 2010 and 2020, Perkins County's population could stabilize or modestly increase under a more favorable scenario. This projection, however, doesn't account for migration patterns:

Perkins County Cohort Survival Analysis

Year	Cohort Survival Model
2025	2,886 persons
2030	2,910 persons
2035	2,930 persons
2040	2,950 persons
2045	2,965 persons

The Modified Cohort takes the same age group model but modifies it to account for either in-migration or out-migration trends which equals -23.1 people per year over a 40-year period. In this case, the in-migration numbers from Table 2 were added to the Cohort results. The following are the new projections:

Perkins County Modified Cohort Survival Analysis

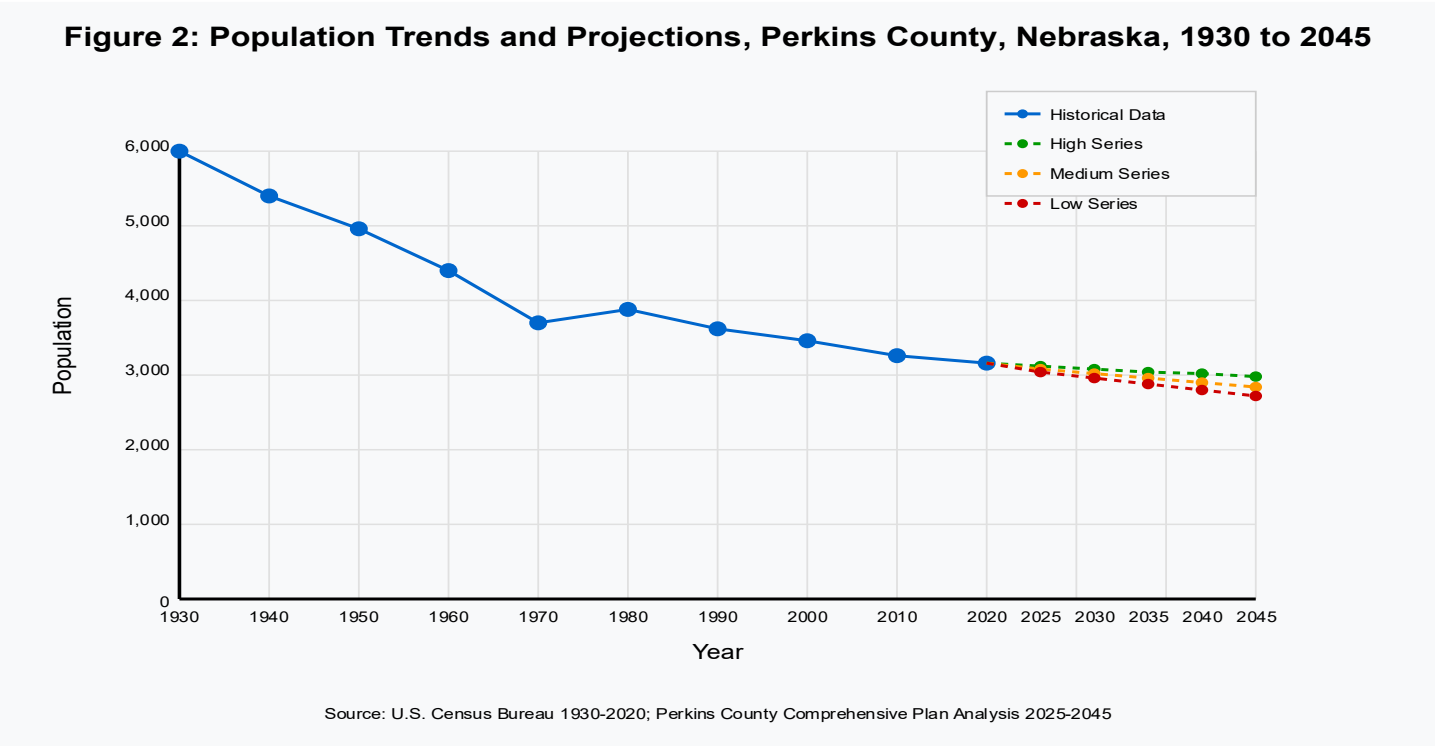
Year	Cohort Survival Model
2025	2,774 persons
2030	2,662 persons
2035	2,550 persons
2040	2,438 persons
2045	2,326 persons

Summary of Population Projections

Looking at these different methodologies, we use three scenarios to help guide planning through 2035: a Low Series (Modified Cohort Survival), a Medium Series (1990-2020 Trend), and a High Series (1970-2020 Trend). These projections offer a range of possibilities:

Year	Low Series = Cohort Modified	Medium Series = 1990-2020	High Series = 1970-2020
2025	2,774 persons	2,776 persons	2,815 persons
2030	2,662 persons	2,694 persons	2,772 persons
2035	2,550 persons	2,612 persons	2,729 persons
2040	2,438 persons	2,530 persons	2,686 persons
2045	2,326 persons	2,448 persons	2,643 persons

Figure 2: Population Trends and Projections, Perkins County, Nebraska, 1930 to 2045



These projections suggest that while Perkins County may continue to experience modest population change, the county is likely to remain within a relatively stable range through the 2025-2035 planning period compared with the steeper declines seen in some earlier decades. All projection scenarios suggest that Perkins County is likely to remain within a modest population range through 2035 – a foundation that can still support community life, local services, and thoughtful long-range planning.

These projections indicate that Perkins County is likely to remain within a relatively modest population range through 2035, although the exact trajectory will depend on migration, housing supply, employment opportunities, and broader regional conditions. For planning purposes, the scenarios in this chapter provide a reasonable framework for service delivery, land use decisions, and long-term capital planning during the 2025-2035 planning period.

As we move forward together, it is important to remember that these projections are starting points, not foregone conclusions. By monitoring our population trends and making thoughtful decisions about economic development, housing, education, and quality of life, we have the power to shape a future where Perkins County continues to be a place where people of all ages can thrive.

The story of our community's future will be written not just by demographic trends, but by the shared values, intentional choices, and deep connections that make Perkins County special. Together, we can build a tomorrow that honors our rich heritage while embracing the promising possibilities that lie ahead.

Our Homes, Our Heritage: The Housing Story of Perkins County

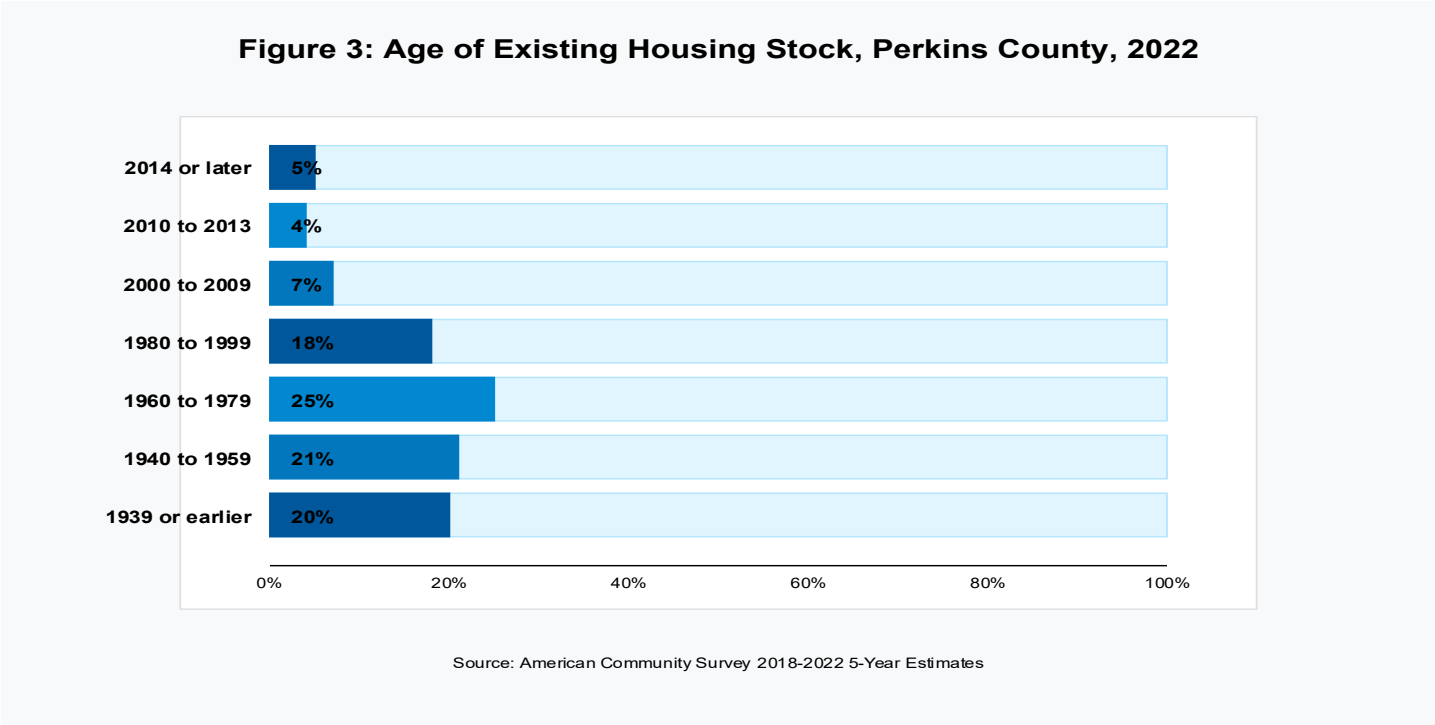
Understanding the homes where we live, work, and gather as families offers profound insights into our community's character and needs. Our housing profile paints a picture of Perkins County's residential landscape – where we have been, where we stand today, and where we might be heading together. More than mere statistics, these patterns reflect our shared history and help us thoughtfully plan for a future where everyone has access to safe, comfortable, and affordable housing.

By examining our housing characteristics – including age, value, occupancy, and affordability – we gain valuable perspective on the foundation of our community life. This analysis helps us identify housing strengths to build upon and challenges that require our collective attention. Well-informed decisions about housing directly impact our quality of life, economic vitality, and the ability of our communities to thrive for generations to come.

The Stories Our Homes Tell: Age of Housing in Perkins County

The age of our housing stock in Perkins County reveals chapters in our shared history – from early settlement homes to recent construction. This timeline of residential development helps us understand past population trends, economic cycles, and building practices that have shaped our communities. It also highlights potential needs for rehabilitation, preservation of historic structures, and opportunities for new development.

Figure 3: Age of Existing Housing Stock, Perkins County, 2022



Our housing stock reveals the rich tapestry of Perkins County's development through the decades. According to the most recent American Community Survey data, about 20% of our homes were built before 1939 – structures that have witnessed nearly a century of our community's history. These historic homes often feature distinctive architectural characteristics that contribute to the unique charm and character of our communities.

The post-World War II housing boom is evident in our landscape, with 21% of homes built between 1940 and 1959, a period of significant growth as young families established roots in the area. The most substantial portion of our housing – 25% – was constructed during the 1960s and 1970s, reflecting the prosperity and expansion of that era.

The pace of housing development slowed somewhat in the following decades, with 18% of our current homes built between 1980 and 1999. More recent construction has been modest but steady, with approximately 7% of homes built between 2000 and 2009, 4% between 2010 and 2013, and 5% constructed since 2014.

This diverse age profile presents both opportunities and challenges for our community. While our historic homes contribute significantly to community character, many may require updating for energy efficiency, modern amenities, and accessibility. Relatively newer housing (built since 2000) represents about 16% of our stock, indicating some recent investment in housing infrastructure, though perhaps not at the pace needed to fully replace aging structures.

Understanding these patterns helps us make informed decisions about housing rehabilitation programs, energy efficiency initiatives, historic preservation efforts, and potential new development needs. By honoring our architectural heritage while planning thoughtfully for future housing needs, we can ensure that Perkins County remains a place where residents of all ages and backgrounds can find comfortable, safe, and affordable places to call home.

The age of our housing stock also influences many other aspects of community planning – from infrastructure maintenance to economic development. By balancing preservation with strategic growth, we can build upon the strong foundation established by generations before us while creating new opportunities for those who will call Perkins County home in the decades to come.

The homes that dot Perkins County's landscape tell the stories of our community – from the historic farmhouses built by early settlers to the modern homes where young families are putting down roots today. Our Housing Profile offers more than just statistics; it provides a window into how our neighbors live, the shelter choices available to our community members, and the challenges some may face in finding affordable, quality housing that meets their needs.

By examining our housing characteristics with care and compassion, we gain valuable insights into the composition of owner-occupied homes (where approximately 78% of our residents make their lives) and rental properties that provide flexible housing options for others. We can also better understand vacancy patterns that may signal opportunities for growth or areas needing revitalization. Most importantly, this analysis helps us ensure that housing costs – whether mortgage payments or monthly rents – remain manageable for all our Perkins County neighbors, preventing financial strain on the families who call our county home.

Looking toward the years ahead requires us to consider multiple factors that shape housing needs - from longer-term population trends to household income levels, employment opportunities, available land, and the expressed wishes of residents. The information presented in the following pages provides the foundation for thoughtful policies that help ensure Perkins County remains a place where residents can find safe, comfortable, and affordable housing.

According to our most current data, Perkins County has approximately 1,345 housing units spread across our communities and rural areas. As shown in Figure 3, about 20% of these homes were built before 1939, representing structures that have witnessed nearly a century of our community's history. Many of these historic homes contribute significantly to our architectural heritage but may require careful assessment of issues like deterioration or the presence of hazardous materials such as lead-based paint and asbestos that were common in earlier building practices.

The post-World War II era brought a significant building boom to our county, with approximately 21% of our current homes constructed between 1940 and 1959, reflecting the optimism and growth of that period. The prosperity of the 1960s and 1970s is also evident in our housing landscape, with about 25% of homes built during those decades, marking another era of community expansion and vitality.

Nearly 66% of all homes in Perkins County were built before 1980, suggesting that energy efficiency initiatives could greatly benefit our community. Programs offering assistance with modern windows, improved insulation, updated heating and cooling systems, and proper weatherization would not only reduce utility costs for our residents but also enhance comfort and extend the useful life of these homes that have sheltered generations of Perkins County families.

By understanding and honoring the history written in our housing stock, we can better prepare for a future where every resident – from young families just starting out to seniors who have contributed to our community for decades – has access to safe, comfortable, and affordable housing that truly feels like home.

The Fabric of Our Community: Housing Patterns in Perkins County

Understanding the way we live together in Perkins County – whether in family homes, rental properties, or group settings – paints a vivid picture of our community's character and needs. These housing patterns reflect our diverse lifestyles, family structures, and economic circumstances, offering important insights into how our community has evolved over time and where we might be heading together.

By examining these trends with care, we gain a deeper appreciation for the different experiences of our neighbors and can better address housing needs across all segments of our Perkins County family. These patterns help us understand not just where people live, but how they live – information that's essential for ensuring a high quality of life for everyone who calls our county home.

Table 5: Community Housing Trends, Perkins County, 2000-2022

Selected Characteristics	2000	2010	2022	% Change 2000-2010	% Change 2010-2022
Population	3,200	2,970	2,835	-7.2%	-4.5%
Persons in Household	3,146	2,926	2,791	-7.0%	-4.6%
Persons in Group Quarters	54	44	44	-18.5%	-0.0%
Persons per Household	2.47	2.36	2.40	-4.5%	1.7%
Total Housing Units	1,444	1,414	1,345	-2.1%	-4.9%
Occupied Housing Units	1,275	1,240	1,162	-2.7%	-6.3%
Owner-occupied units	965	909	903	-5.8%	-0.7%
Renter-occupied units	310	331	259	6.8%	-21.8%
Vacant Housing Units	169	174	183	3.0%	5.2%
Owner-Occupied vacancy rate	2.5%	4.9%	2.6%	-	-
Renter-Occupied vacancy rate	9.4%	8.6%	7.5%	-	-
Single-family Dwellings	1,248	1,286	1,242	3.0%	-3.4%
2 unit Dwellings	14	9	12	-35.7%	33.3%
3 or 4 unit Dwellings	8	4	4	-50.0%	-
5 to 9 unit Dwellings	-	-	-	-	-
10-19 unit Dwellings	-	-	-	-	-
20 or more unit Dwellings	-	-	-	-	-
Mobile Homes, trailer, other	121	40	18	-66.9%	-55.0%
Median Contract Rent – 2000 to 2022					
Perkins County	$389	$593	$675	**52.4%**	**13.8%**
Nebraska	**$491**	**$648**	**$892**	**32.0%**	**37.7%**
Median Value of Owner-Occupied Units - 2000 to 2022					
Perkins County	$52,200	$77,100	$149,200	**47.7%**	**93.5%**
Nebraska	**$88,000**	**$123,900**	**$205,600**	**40.8%**	**66.0%**

Source: U.S. Census Bureau, 2000 Decennial Census; 2010 Decennial Census; 2022 American Community Survey 5-Year Estimates.

The data reveals several noteworthy trends in our housing landscape. While the county's overall population continued to decline between 2000 and 2022, the rate of decline was smaller in 2010-2022 than in 2000-2010. This slower rate of change may suggest a more gradual adjustment in housing demand than the county experienced in earlier decades.

Interestingly, the average household size has slightly increased in the most recent period (from 2.36 to 2.40 persons), reversing the previous downward trend and potentially indicating more multigenerational living arrangements or families with children in our community.

The total number of housing units has declined slightly, with owner occupancy remaining comparatively stable since 2010 while renter occupancy has declined more noticeably. These shifts may reflect both changing housing preferences and changes in the size and composition of the county's household base.

Perhaps most striking is the substantial increase in home values, with the median value of owner-occupied homes nearly doubling from $77,100 in 2010 to $149,200 in 2022 – a 93.5% increase that outpaces the statewide growth of 66.0%. This rise reflects both the quality of our housing stock and the growing desirability of Perkins County as a place to establish roots.

Rental costs have also increased, though more modestly at 13.8% since 2010, compared to Nebraska's 37.7% increase during the same period. This suggests that rental housing in Perkins County remains more affordable relative to state averages, potentially providing accessible housing options for those not yet ready for homeownership.

The diverse housing types available in our community – from single-family homes that make up the majority of our housing to various multi-unit options – provide choices that accommodate different lifestyles, family sizes, and financial circumstances. This variety is an important asset as we continue to build a welcoming community for all.

Our Homes, Our Community: Understanding Housing in Perkins County

The story of our homes in Perkins County reveals much about who we are as a community – from our family structures to our economic circumstances. By examining these housing patterns with care and understanding, we gain valuable insights into the diverse experiences of our neighbors and can better prepare for a future that meets everyone's needs. This analysis helps us understand not just where we live, but how we live together as a community.

The Changing Nature of Our Households

In our 2010 analysis, we observed a decline of 220 residents living in households compared to 2000, representing a 7.0 percent decrease. This trend continued through the next period, although at a slower pace, with total population declining 3.8 percent between 2010 and 2020. The average household size also increased slightly to approximately 2.40 persons per household by 2022.

The number of people living in group quarters – such as nursing homes and other special housing facilities – has remained relatively stable since 2010 at approximately 44 residents, suggesting continuity in the availability of these important services.

Our Household Size in Regional Context

While our persons-per-household figure of 2.40 reflects an increase from the 2010 figure of 2.36, it remains slightly below the Nebraska state average of 2.46. However, it's worth noting that our household size continues to be larger than many neighboring counties:

- Keith County: 2.10 persons per household
- Chase County: 2.35 persons per household
- Frontier County: 2.28 persons per household
- Red Willow County: 2.30 persons per household
- Dundy County: 2.21 persons per household

This suggests that Perkins County continues to maintain a comparatively family-oriented household structure relative to some neighboring counties, an important consideration for housing, schools, and community services.

Housing Occupancy and Availability

Our housing landscape has evolved significantly since our previous analysis. By the 2022 American Community Survey 5-Year Estimates, Perkins County had approximately 1,345 total housing units, with about 1,162 occupied units. This represents a continued modest decline from 2010, when there were 1,414 total units and 1,240 occupied units.

The homeownership rate in Perkins County stood at 77.7% as of the 2022 American Community Survey 5-Year Estimates, significantly higher than the national average of approximately 65%. The 2020 decennial census recorded a rate of 79.5%, indicating strong and consistent homeownership across both data vintages. This high rate of homeownership reflects both our community's stability and the relative affordability of housing in our region. Of our occupied housing units, approximately 903 are owner-occupied while 259 are renter-occupied, with a vacancy rate that provides reasonable options for those seeking housing.

Housing Costs and Affordability

Housing values in Perkins County have increased substantially since our earlier analyses. As shown in Table 5, the median value of owner-occupied units rose from $77,100 in 2010 to $149,200 in 2022, representing a 93.5 percent increase over that period. This increase has important implications for affordability, reinvestment, and long-term housing availability.

Rental costs have also increased, though not as dramatically as owner-occupied home values. Table 5 shows median contract rent rising from $593 in 2010 to $675 in 2022. Even with relatively moderate rent growth compared with statewide trends, rental supply and affordability remain important planning considerations.

When we compare these housing cost increases to inflation rates over the same period, we find that housing values have appreciated at a rate significantly higher than inflation. This trend benefits homeowners through increased equity but creates challenges for first-time homebuyers and renters. Even with rising values, Perkins County's housing costs remain more affordable than in many other parts of Nebraska, helping preserve access to homeownership for residents while also underscoring the need to expand and maintain quality housing choices.

Housing Composition by Household Size

The pattern of household sizes in Perkins County reflects our community's character and needs. While historical data showed two-person households dominating the owner-occupied category and single-person households being most common among renters, recent trends suggest more diversity in household compositions.

The stability of our family-sized households (3+ persons), particularly in owner-occupied units, speaks to Perkins County's appeal as a place to raise families. At the same time, our single-person households – many of them seniors living independently – reflect the aging of our population, with approximately 635 residents (22.2% of our population) now age 65 or older.

Looking Forward

The evolution of our housing landscape in Perkins County presents both opportunities and challenges. The substantial appreciation in home values has built wealth for existing homeowners but may create barriers for younger families seeking to establish roots here. The growth in housing costs exceeding inflation and income growth is a trend we should monitor carefully to ensure housing remains affordable for all income levels.

As we plan for the future, considerations such as housing rehabilitation programs, strategic new construction, and diverse housing options to meet the needs of both our growing senior population and young families will be essential. By understanding these housing trends in the context of our community's values and needs, we can work together to ensure that Perkins County remains a place where everyone can find a safe, comfortable, and affordable place to call home.

Table 6: Tenure of Household, Perkins County, 2000 to 2022

Householder Characteristic	2000				2010				2022				O. O.	R. O.	O. O.	R. O.	O. O.	R. O.
	Owner-Occupied	% O.O	Renter-Occupied	% R.O	Owner-Occupied	% O.O	Renter-Occupied	% R.O	Owner-Occupied	% O.O	Renter-Occupied	% R.O	Percent Change 2000-2010		Percent Change 2010-2022		Percent Change 2000-2022	
Tenure by Number of Persons in Housing Unit (Occupied Housing Units)																		
1 person	227	23.5%	123	39.7%	236	24.5%	122	44.4%	243	25.2%	127	45.0%	4.0%	-0.8%	3.0%	4.1%	7.0%	3.3%
2 persons	388	40.2%	74	23.9%	447	46.4%	47	17.1%	458	47.5%	52	18.4%	15.2%	-36.5%	2.5%	10.6%	18.0%	-29.7%
3 persons	120	12.4%	47	15.2%	97	10.1%	40	14.5%	93	9.6%	38	13.5%	-19.2%	-14.9%	-4.1%	-5.0%	-22.5%	-19.1%
4 persons	143	14.8%	35	11.3%	90	9.3%	36	13.1%	88	9.1%	37	13.1%	-37.1%	2.9%	-2.2%	2.8%	-38.5%	5.7%
5 persons	54	5.6%	19	6.1%	71	7.4%	22	8.0%	63	6.5%	20	7.1%	31.5%	15.8%	-11.3%	-9.1%	16.7%	5.3%
6 persons or more	33	3.4%	12	3.9%	23	2.4%	8	2.9%	20	2.1%	8	2.8%	-30.3%	-33.3%	-13.0%	0.0%	-39.3%	-33.3%
TOTAL	**965**	**100.0%**	**310**	**100.0%**	**964**	**100.0%**	**275**	**100.0%**	**965**	**100.0%**	**275**	**100.0%**	**-0.1%**	**-11.3%**	**0.1%**	**2.5%**	**0.0%**	**-9.0%**
Tenure by Age of Householder (Occupied Housing Units)																		
15 to 24 years	11	1.1%	30	10.9%	24	2.5%	29	10.5%	20	2.1%	31	11.0%	118.2%	-3.3%	-16.7%	6.9%	81.8%	3.3%
25 to 34 years	97	10.1%	63	22.9%	96	10.0%	63	22.9%	94	9.7%	66	23.4%	-1.0%	0.0%	-2.1%	4.8%	-3.1%	4.8%
35 to 44 years	163	16.9%	70	25.5%	114	11.8%	38	13.8%	117	12.1%	42	14.9%	-30.1%	-45.7%	2.6%	10.5%	-28.2%	-40.0%
45 to 54 years	209	21.7%	55	20.0%	178	18.5%	55	20.0%	154	16.0%	49	17.4%	-14.8%	0.0%	-13.5%	-10.9%	-26.3%	-10.9%
55 to 64 years	161	16.7%	17	6.2%	225	23.3%	24	8.7%	217	22.5%	26	9.2%	39.8%	41.2%	-3.6%	8.3%	34.8%	52.9%
65 to 74 years	136	14.1%	14	5.1%	171	17.7%	13	4.7%	189	19.6%	16	5.7%	25.7%	-7.1%	10.5%	23.1%	39.0%	14.3%
75 years and over	188	19.5%	61	22.2%	156	16.2%	53	19.3%	174	18.0%	52	18.4%	-17.0%	-13.1%	11.5%	-1.9%	-7.4%	-14.8%
TOTAL	**965**	**100.0%**	**310**	**112.7%**	**964**	**100.0%**	**275**	**100.0%**	**965**	**100.0%**	**282**	**100.0%**	**-0.1%**	**-11.3%**	**0.1%**	**2.5%**	**0.0%**	**-9.0%**

Source: U.S. Census Bureau, 2000; American Community Survey 2006-2010, American Community Survey 2018-2022 5-year Estimates

Perkins County Household Composition: Trends and Transformations

In 2000, Perkins County's warm, close-knit community was primarily made up of smaller households, with a remarkable 812 one- or two-person households representing 63.7% of all homes. Family-sized households of five or more persons created vibrant neighborhoods but were less common, accounting for just 9.0% of owner-occupied homes and 10.0% of rental properties. Across the county, these larger households numbered only 118, or 9.3% of all homes.

The backbone of homeownership in 2000 was the established 45 to 54 age group, with these middle-aged residents making up 21.7% of owner-occupied housing. Close behind were our senior neighbors aged 75 and over, representing 19.5% of homeowners and contributing their wealth of experience to the community.

The rental landscape showed a beautiful diversity of age groups sharing this housing option. Four vibrant cohorts dominated the rental market: young professionals aged 25 to 34 (22.9%), established adults aged 35 to 44 (25.5%), mature residents aged 45 to 54 (20.0%), and cherished seniors 75 and over (22.2%). Together, these four groups represented an impressive 90.6% of all renters, creating diverse rental communities.

By 2010, Perkins County's housing patterns evolved while maintaining its character. Two-person households continued to flourish among homeowners, growing to 447 units or 46.4% of owner-occupied homes – a healthy 15.2% increase from 2000. Meanwhile, single-person households dominated the rental landscape with 122 units (44.4% of rentals), growing modestly by 4.0% since 2000.

The trend toward smaller households strengthened, with 852 one- or two-person households making up 68.8% of all homes, reflecting a gentle shift in community structure. Larger families with five or more people maintained their presence, representing 9.8% of owner-occupied homes and 10.9% of rentals. Countywide, these larger households numbered 124 units or 10.0% of all homes – a promising 5.1% increase from 2000.

The face of homeownership evolved by 2010, with the vibrant 55 to 64 age group becoming the largest homeowning cohort at 23.3%, followed by the 45 to 54 age group at 18.5%. While some younger age groups saw a decline in homeownership, analyzing the cohort progression reveals that many 2000 homeowners continued advancing in their homeownership journey, with the largest 2000 cohort gaining 16 units or 7.6% during this period.

Rental housing continued to serve diverse age groups, primarily the 25-to-34-year cohort (22.9%), 45-to-54-year residents (20.0%), beloved seniors 75 and over (19.3%), and 35-to-44-year neighbors (13.8%). Together these groups represented 76.0% of all renters in 2010 – a notable shift from 2000 that reflects an evolving, more age-diverse rental landscape in the county.

Looking at our most recent data, Perkins County's housing landscape continues to evolve while maintaining its small-town charm. By 2022, one and two person households flourished even further, reaching 880 homes or 70.5% of all households – a meaningful increase that reflects our community's changing demographics and lifestyle preferences.

Homeownership continues to be strongest among our experienced neighbors aged 55 and over, with these three age groups (55-64, 65-74, and 75+) now representing a substantial 60.1% of all owner-occupied homes. This represents a wealth of stability and community knowledge anchoring our neighborhoods.

The rental market shows a vibrant mix of generations, with young adults under 35 comprising over a third of all renters (34.4%), while maintaining healthy representation across all age groups. This multi-generational approach to rental housing creates diverse, dynamic neighborhoods that benefit from varied life experiences and perspectives.

As we look at the full 22-year trend from 2000 to 2022, we see Perkins County's resilience in maintaining stable housing numbers while adapting to changing demographics. The shift toward smaller households, aging homeowners, and more diverse rental communities reflects both national trends and our community's unique character as it continues to evolve and thrive.

Housing Conditions: Perkins County Evolving Residential Landscape

Table 7: Selected Housing Conditions, Perkins County, 2000 to 2022

Housing Profile	Perkins County		State of Nebraska	
	Total	% of Total	Total	% of Total
2000 Housing Units	1,444		722,668	
2000 Occupied Housing Units	1,275	88.30%	666,184	92.20%
2000 Owner-occupied Units	965		449,317	
2000 Renter-occupied Units	310		216,867	
2010 Housing Units	1,450		796,793	
2010 Occupied Housing Units	1,239	85.40%	721,130	90.50%
2010 Owner-occupied Units	964		484,730	
2010 Renter-occupied Units	275		236,400	
2022 Housing Units	1,465		855,631	
2022 Occupied Housing Units	1,247	85.10%	776,504	90.80%
2022 Owner-occupied Units	965		526,923	
2022 Renter-occupied Units	282		249,581	
Change in Number of Units 2000 to 2010				
Total Change	6	0.40%	74,125	10.30%
Annual Change	0.6	0.00%	7,413	1.00%
Total Change in Occupied Units	-36	-2.80%	54,946	8.20%
Annual Change in Occupied Units	-3.6	-0.30%	5,495	0.80%
Total Change in Owner-occupied Units	-1	-0.10%	35,413	7.90%
Total Change in Renter-occupied Units	-35	-11.30%	19,533	9.00%
Change in Number of Units 2010 to 2022				
Total Change	15	1.00%	58,838	7.40%
Annual Change	1.25	0.10%	4,903	0.60%
Total Change in Occupied Units	8	60.00%	55,374	7.70%
Annual Change in Occupied Units	0.67	0.10%	4,615	0.60%
Total Change in Owner-occupied Units	1	0.10%	42,193	8.70%
Total Change in Renter-occupied Units	7	2.50%	13,181	5.60%
Change in Number of Units 2000 to 2022				
Total Change	21	1.50%	132,963	18.40%
Annual Change	0.95	0.07%	6,044	84.00%
Total Change in Occupied Units	-28	-2.20%	110,320	16.60%
Annual Change in Occupied Units	-1.27	-0.10%	5,015	75.00%
Total Change in Owner-occupied Units	0	0.00%	77,606	17.30%
Total Change in Renter-occupied Units	-28	-9.00%	32,714	15.10%
Characteristics				
2000 Units Lacking Complete Plumbing Facilities	0	0.00%	6,398	0.90%
2000 Units with More Than One Person per Room	20	1.40%	17,963	2.50%
2010 Units Lacking Complete Plumbing Facilities	20	1.40%	2,540	0.30%
2010 Units with More Than One Person per Room	0	0.00%	12,201	1.50%
2022 Units Lacking Complete Plumbing Facilities	15	1.00%	1,982	0.20%
2022 Units with More Than One Person per Room	5	0.30%	9,845	1.10%
Substandard Units				
2000 Total	20	1.40%	24,361	3.40%
2010 Total	20	1.40%	14,741	1.90%
2022 Total	20	1.40%	11,827	1.40%

Source: U.S. Census Bureau, 2000 Census; American Community Survey 2006-2010; American Community Survey 2018-2022 5-Year Estimates

Housing Conditions and Occupancy Patterns:

A Dynamic Housing Landscape That Is the Foundation of Perkins County's Future

The housing landscape of Perkins County reveals a fascinating story of resilience and adaptation. Table 8 showcases how our residential infrastructure has evolved, providing crucial insights into our community's foundation. While the household occupancy rate shifted from 88.3% in 2000 to 85.1% in 2022, this represents not just change, but opportunity. The most notable development has been the recent revival of our rental market, with renter-occupied units increasing by 2.5% since 2010 – a positive reversal that strengthens housing diversity.

Between 2000 and 2022, Perkins County added 21 housing units to our inventory, representing steady, incremental growth of 1.5%. Since 2010, our housing development has accelerated to 1.25 units annually – more than double the rate seen in the previous decade. While overall occupied units initially declined after 2000, the trend has reversed since 2010, with eight additional occupied homes bringing renewed vitality to our neighborhoods.

Quality Standards: Maintaining Excellence in Housing

Perkins County continues to maintain exceptional housing quality compared to statewide averages. According to U.S. Department of Housing and Urban Development guidelines, substandard housing is defined by two primary criteria:

1. **Complete Plumbing Facilities**: Housing must have hot and cold running water, a bathtub or shower, and a flush toilet – essential components of modern, dignified living.
2. **Appropriate Occupancy**: Housing should provide adequate space, with overcrowding defined as more than one person per room.

Our analysis reveals that only 20 housing units (1.4% of total) meet substandard criteria as of 2022 – a rate that has remained consistent since 2000 and now matches the Nebraska statewide average of 1.4%, down significantly from the state's 3.4% rate in 2000. The composition of these substandard units has evolved, with 15 units lacking complete plumbing and 5 experiencing overcrowding – a shift from previous patterns.

This data illuminates not just where we stand, but where strategic investments can further enhance our housing quality. While the current analysis identifies units meeting either criterion, a more comprehensive evaluation would identify units meeting both criteria simultaneously and those requiring building, electrical, or plumbing code updates. Such precision would enable targeted rehabilitation efforts that maximize impact and resource efficiency.

Strategic Housing Development: Building Perkins County's Future

Perkins County stands at an exciting threshold of opportunity for housing development. Community feedback has consistently identified housing as a pivotal factor in our growth trajectory. Several key challenges present compelling opportunities for innovation:

1. **Housing Stock Revitalization**: With many homes exceeding 60 years in age, targeted renovation programs could transform existing structures into modern, energy-efficient homes that honor our architectural heritage while meeting contemporary needs.
2. **Affordability Solutions**: As median household income has risen to $67,500 (a remarkable 9.25% increase from 2022 to 2023), creative financing options and diverse housing types can ensure homes remain accessible across income levels.
3. **Family-Centric Housing Development**: Today's families seek different amenities and configurations than previous generations. Creating homes with modern floor plans, technology integration, and energy efficiency features will attract young families who represent our community's future.
4. **Strategic Lot Development**: Identifying and preparing prime locations for upscale and mid-range housing development within our municipalities will create attractive options for both current residents and newcomers seeking quality homes.

Conclusion: Housing as the Cornerstone of Community Prosperity

Perkins County's housing foundation shows remarkable resilience, with recent trends pointing toward renewed growth and stability. Our exceptionally low substandard housing rate demonstrates our community's commitment to quality living environments for all residents.

To capitalize on this strong foundation, a forward-looking housing strategy should include:

1. Regular, comprehensive housing stock assessments to identify specific rehabilitation needs
2. Public-private partnerships that accelerate housing development at various price points
3. Targeted incentives for modernizing existing homes while preserving community character
4. Proactive infrastructure investment that enables housing expansion in strategic locations

Through thoughtful planning and bold implementation, Perkins County can transform housing challenges into opportunities that enhance quality of life, attract new residents, and create enduring value. By investing in our housing infrastructure today, we will build the foundation for a vibrant, prosperous Perkins County tomorrow.

Perkins County Economic and Employment Profile: Driving Prosperity into the Future

Introduction

Economic data provides the foundation for understanding Perkins County's market evolution, income trends, and employment opportunities. This comprehensive analysis examines household income statistics, employment by industry, commuter patterns, and agricultural significance to create a vibrant portrait of Perkins County's economic landscape. The data reveals not just where we stand today but illuminates our pathways for future growth and prosperity.

Income Trends: Building Financial Strength

Table 8: Household Income, Perkins County, 2000 to 2023

Household Income Ranges	2000				2010				2023			
	Perkins County	% of Total	State of Nebraska	% of Total	Perkins County	% of Total	State of Nebraska	% of Total	Perkins County	% of Total	State of Nebraska	% of Total
Less than $10,000	146	11.40%	55,340	8.30%	32	2.60%	45,321	6.40%	25	2.10%	37,925	5.00%
$10,000 to $14,999	83	6.50%	43,915	6.60%	67	5.40%	41,617	5.80%	60	4.90%	34,628	4.60%
$15,000 to $24,999	214	16.80%	98,663	14.80%	177	14.30%	81,800	11.50%	162	13.30%	71,236	9.40%
$25,000 to $34,999	206	16.10%	97,932	14.70%	146	11.80%	83,307	11.70%	118	9.70%	71,896	9.50%
$35,000 to $49,999	255	20.00%	122,654	18.40%	232	18.70%	108,311	15.20%	162	13.30%	95,123	12.60%
$50,000 to $74,999	221	17.30%	136,141	20.40%	324	26.10%	146,702	20.60%	309	25.30%	134,923	17.80%
$75,000 to $99,999	72	5.60%	58,361	8.70%	132	10.60%	90,871	12.80%	156	12.80%	103,781	13.70%
$100,000 to $149,999	59	4.60%	36,565	5.50%	121	9.80%	76,556	10.80%	146	12.00%	118,664	15.70%
$150,000 to $199,999	7	0.50%	8,551	1.30%	4	0.30%	19,998	2.80%	46	3.80%	46,328	6.10%
$200,000 or more	14	1.10%	8,873	1.30%	5	0.40%	17,288	2.40%	35	2.90%	41,986	5.60%
Total	**1,277**	**100.0%**	**666,995**	**100.0%**	**1,240**	**100.0%**	**711,771**	**100.0%**	**1,219**	**100.0%**	**756,490**	**100.0%**
Median Household Income	$34,205		$39,250		$47,000		$49,342		$57,946		$72,126	
Number of Households	1,277		666,995		1,240		711,771		1,219		756,490	

Source: U.S. Census Bureau, 2000, American Community Survey 2006-2010

Perkins County has experienced a remarkable transformation in household income distribution over the past two decades. The data reveals a powerful economic strengthening, with median household income soaring from $34,205 in 2000 to $67,500 in 2023 – a remarkable 97.3% increase that significantly outpaces inflation and grew 9.25% just between 2022 and 2023. This financial evolution reflects not just nominal growth but substantial gains in real purchasing power for county residents.

The most dramatic income shifts have occurred at both ends of the economic spectrum. Households earning less than $15,000 annually have decreased from 17.9% in 2000 to just 5.1% in 2023 – a 71.5% reduction that signals substantial improvement in financial stability for our most economically vulnerable residents. This positive trend significantly outperforms statewide improvements in reducing low-income households.

Meanwhile, households earning $50,000 or more have surged from 29.1% in 2000 to a robust 63.3% in 2023. Even more impressive, households earning over $100,000 have grown from just 6.2% in 2000 to 25.8% in 2023 – a 316% increase that demonstrates Perkins County's expanding prosperity and enhanced economic opportunities.

When adjusting for inflation, the Consumer Price Index increased approximately 78.1% from 2000 to 2023, meaning Perkins County's median household income grew at a rate that exceeded inflation by 19.2 percentage points. In practical terms, this means the average household in Perkins County has experienced meaningful gains in real purchasing power and financial stability over this period.

Income Distribution by Age Group

Table 9: Household Income by Age, Perkins County, 2022

Income Categories	under 25 years	25 to 44 years	45 to 64 years	65 years and older	Total	% of Total Households age 65 & over
Less than $10,000	1	8	2	13	**24**	54.2%
$10,000 to $14,999	1	2	17	21	**41**	51.2%
$15,000 to $24,999	0	26	28	59	**113**	52.2%
$25,000 to $34,999	0	31	16	61	**108**	56.5%
$35,000 to $49,999	16	22	92	55	**185**	29.7%
$50,000 to $74,999	2	89	114	90	**295**	30.5%
$75,000 to $99,999	0	66	79	41	**186**	22.0%
$100,000 to $124,999	18	54	98	33	**203**	16.3%
$125,000 to $149,000	0	25	42	15	**82**	18.3%
$150,000 to $199,999	0	6	36	4	**46**	8.7%
$200,000 or more	0	5	31	0	**36**	0.0%
Total	**38**	**334**	**555**	**356**	**1,283**	**27.7%**

Source: American Community Survey 2006-2022 5-Year Estimates

The age distribution of household income in Perkins County provides crucial insights into economic needs across generations. The 45-64 age cohort represents both the largest segment of households (43.3%) and demonstrates the most balanced income distribution, with strong representation across middle- and upper-income brackets. This reflects the prime earning years for established workers and professionals in our community.

Senior households (65 years and older) comprise 27.7% of the total and show a distinctive income pattern. While seniors account for 53.5% of households earning less than $25,000 annually, they also represent a significant portion (21.6%) of households earning between $50,000 and $100,000. This bifurcation highlights varying levels of retirement preparation and points to opportunities for targeted economic development strategies to support our aging population.

Young householders under 25 represent just 3.0% of households but show promising economic integration, with 47.4% earning over $100,000 annually. This demonstrates that when young professionals choose to remain in or relocate to Perkins County, they often find viable economic opportunities that support financial stability.

The middle-aged cohort (25-44 years) shows a concentration in the middle-income brackets, with 46.4% earning between $50,000 and $100,000. This represents our family-formation demographic and underscores the importance of housing, childcare, and educational resources for economic development planning.

Income Sources and Public Assistance

Table 11: Income by Source - State and Perkins County, 1970 to 2022

Income Characteristics	1970	1980	1990	2000	2010	2022	% Change 1970-2022	% Annual Change	2022 Perkins County vs. State of Nebraska
Perkins County									
Total Personal Income	$14,631,000	$42,910,000	$67,859,000	$82,604,000	$121,389,000	$243,927,000	1567.9%	30.2%	0.2%
Non-farm Income	$9,540,000	$28,778,000	$47,904,000	$52,315,000	$98,979,000	$204,983,000	2048.7%	39.4%	0.1%
Farm Income	$5,007,000	$13,402,000	$25,245,000	$15,368,000	$22,410,000	$38,944,000	677.8%	13.0%	1.1%
Per Capita Income	$4,286	$11,795	$20,160	$25,968	$40,762	$86,085	1908.3%	36.7%	116.7%
State of Nebraska									
Total Personal Income	$5,648,337,000	$14,578,213,000	$28,591,103,000	$48,997,941,000	$72,353,077,000	$124,557,893,000	2104.9%	40.5%	
Non-farm Income	$5,108,567,000	$14,482,219,000	$26,437,554,000	$47,577,270,000	$55,527,838,000	$120,654,893,000	2262.0%	43.5%	
Farm Income	$539,770,000	$95,994,000	$2,153,549,000	$1,420,671,000	$3,440,216,000	$3,903,000,000	623.1%	12.0%	
Per capita income	$3,796	$9,272	$18,088	$28,598	$39,534	$73,764	1842.4%	35.4%	

Source: Bureau of Economic Analysis, Regional Economic Information System, 2022

Perkins County's income landscape shows remarkable growth across multiple sectors. Total personal income has surged from $14.6 million in 1970 to $243.9 million in 2022, representing a staggering 1,567.9% increase that translates to 30.2% annual growth over this 52-year period. This growth trajectory closely tracks statewide economic expansion patterns while maintaining our county's unique character.

Our agricultural heritage remains evident in the composition of income sources. While non-farm income has grown at an extraordinary pace (2,048.7% since 1970), farm income maintains significant importance, increasing by 677.8% over the same period. This agricultural component represents Perkins County's enduring connection to the land while demonstrating the sector's adaptation to modern economic conditions.

Perhaps most notably, per capita income in Perkins County has soared to $86,085 in 2022 according to the Bureau of Economic Analysis data for 2021, which is an impressive 116.7% of the Nebraska state average. This represents a significant evolution from earlier decades when the county's per capita income more closely tracked the state average. Today's residents enjoy substantially higher income levels than the average Nebraskan, reflecting both the productivity of our industries and the quality of economic opportunities available locally.

Table 12: Transfer Payments - State of Nebraska and Perkins County, 1970 to 2022

Payment Type	1970	1980	1990	2000	2010	2022	% Change 1970 to 2022	% Change Per Year
Perkins County								
Government payments to individuals	$1,261,000	$4,074,000	$8,003,000	$13,084,000	$21,036,000	$39,872,000	3063.5%	58.9%
Retirement, Disability & Insurance Benefits	$828,000	$2,637,000	$5,355,000	$6,813,000	$8,877,000	$16,254,000	1863.0%	35.8%
Medical Payments	$239,000	$1,097,000	$1,937,000	$4,798,000	$9,429,000	$18,276,000	7547.7%	145.1%
Income Maintenance Benefits (SSI, AFDC, Food Stamps, etc)	(D)	$146,000	$298,000	$717,000	$1,102,000	$1,985,000	(-)	(-)
Unemployment Insurance Benefits	(D)	(D)	(D)	$88,000	$435,000	$126,000	(-)	(-)
Veteran's Benefits	$125,000	$226,000	$281,000	$533,000	$848,000	$2,164,000	1631.2%	31.4%
Federal Education and Training Assistance	(D)	$51,000	$93,000	$130,000	$285,000	$837,000	(-)	(-)
Payment to Non-profit Institutions	(D)	$134,000	$159,000	$264,000	$345,000	$657,000	(-)	(-)
Business Payments	(D)	$101,000	$237,000	$359,000	$228,000	$354,000	(-)	(-)
Total	$1,338,000	$4,309,000	$8,399,000	$13,707,000	$21,609,000	$40,883,000	2955.5%	56.8%
Transfer Payments Per Capita	$394	$1,184	$2,495	$4,309	$7,256	$14,396	3553.8%	68.3%
Total Per Capita Income	$4,311	$11,795	$20,160	$25,968	$41,551	$86,085	1897.1%	36.5%
Per Capita Transfer Payments as % of Per Capita Income	**9.1%**	**10.0%**	**12.4%**	**16.6%**	**17.5%**	16.7%	83.5%	1.6%
State of Nebraska								
Total	$497,553,000	$1,693,794,000	$3,365,241,000	$6,088,074,000	$11,572,269,000	$22,864,351,000	4495.5%	86.5%
Transfer Payments Per Capita	$334	$1,077	$2,128	$3,553	$6,323	$11,743	3416.4%	65.7%
Total Per Capita Income	$3,793	$9,155	$17,948	$28,598	$39,534	$73,764	1844.7%	35.5%
Per Capita Transfer Payments as % of Per Capita Income	8.8%	11.8%	11.9%	12.4%	16.0%	15.9%	80.7%	1.6%

Source: Bureau of Economic Analysis, Regional Economic Information System, 2022

Transfer payments play an increasingly important role in Perkins County's economic landscape, growing from $1.3 million in 1970 to $40.9 million in 2022 – a 2,955.5% increase that exceeds the growth rate of overall personal income. While this acceleration parallels statewide trends, it reflects both demographic shifts and evolving social support systems.

The most dramatic growth appears in medical payments, which have increased by 7,547.7% since 1970, reflecting both rising healthcare costs nationwide and the aging population profile of Perkins County. Retirement and disability benefits have also shown substantial growth (1,863.0%), aligned with our county's demographic shift toward more senior residents.

Transfer payments per capita have risen to $14,396 in 2022, representing 16.7% of overall per capita income. This proportion has stabilized since 2010, suggesting a mature relationship between earned income and transfer payments in the local economy. This percentage also aligns closely with the statewide average of 15.9%, indicating that Perkins County's transfer payment utilization falls within normal parameters for Nebraska.

Interestingly, veterans' benefits have increased substantially (1,631.2%) since 1970, reflecting both our community's strong military service tradition and improved access to veterans' programs. This represents an important inflow of federal resources that honors service while strengthening local economic stability.

Industry Employment: Cornerstones of our Economy

Table 13: Employment by Industry, Perkins County/State of Nebraska, 2000 , 2010, And 2023

Industry Categories	Perkins County						State of Nebraska					
	2000	% of Total	2010	% of Total	2023	% of Total	2000	% of Total	2010	% of Total	2023	% of Total
Agriculture, Forestry, Fishing, Hunting, and Mining	360	23.50%	342	21.70%	277	19.10%	48,942	5.60%	44,982	4.80%	41,254	4.20%
Construction	103	6.70%	38	2.40%	150	10.30%	56,794	6.50%	61,002	6.50%	68,543	6.90%
Manufacturing	45	2.90%	48	3.00%	53	3.70%	107,439	12.20%	102,617	10.90%	103,892	10.50%
Wholesale Trade	91	5.90%	104	6.60%	97	6.70%	31,265	3.60%	28,960	3.10%	27,453	2.80%
Retail Trade	135	8.80%	136	8.60%	124	8.60%	106,303	12.10%	108,772	11.60%	112,875	11.40%
Transportation, Warehousing, and Utilities	148	9.70%	174	11.00%	143	9.90%	53,922	6.10%	56,344	6.00%	62,764	6.30%
Information	22	1.40%	25	1.60%	18	1.20%	21,732	2.50%	19,308	2.10%	17,453	1.80%
Finance, Insurance, Real Estate, Rental, and Leasing	61	4.00%	75	4.80%	86	5.90%	67,370	7.70%	72,370	7.70%	78,654	7.90%
Professional, Scientific, Management, Administrative, and Waste Management	46	3.00%	71	4.50%	84	5.80%	63,663	7.30%	76,363	8.10%	86,754	8.80%
Educational, health, and social services	311	20.30%	358	22.70%	190	13.10%	181,833	20.70%	216,939	23.10%	231,678	23.40%
Arts, entertainment, recreation, Accommodation, and Food Services	60	3.90%	70	4.40%	139	9.60%	63,635	7.30%	71,022	7.60%	77,865	7.90%
Other Serv ices (Except Public Administration)	91	5.90%	108	6.90%	63	4.30%	40,406	4.60%	41,913	4.50%	42,546	4.30%
Public Administration	60	3.90%	27	1.70%	26	1.80%	33,933	3.90%	36,982	4.50%	38,654	3.90%
Total Employed Persons	1,533	100.00%	1,576	100.00%	1,450	100.00%	877,237	100.00%	937,574	100.00%	990,385	100.00%

Source: U.S. Census Bureau 2000 and American Community Survey 2006-2010, and Data USA 2023

Perkins County's employment landscape showcases both stability in our traditional strengths and dynamic evolution in newer sectors. Agriculture remains the cornerstone of our economy, employing 19.1% of workers in 2023 with the largest single industry category being Agriculture, Forestry, Fishing & Hunting with 277 people. While this represents a gradual decrease from 23.5% in 2000, it significantly outpaces the statewide agricultural employment rate of just 4.2%, affirming our county's deep agricultural roots.

The most dramatic growth has occurred in the construction sector, which surged from just 2.4% of employment in 2010 to 10.3% in 2023, making it the third largest employment sector with 150 people. This 294.7% increase signals substantial investment in infrastructure and development, creating valuable jobs while enhancing the county’s-built environment.

Another notable expansion appears in the arts, entertainment, recreation, accommodation, and food services sector, which has grown from 3.9% of employment in 2000 to 9.6% in 2023. This evolution reflects Perkins County's increasing focus on quality-of-life amenities that serve both residents and visitors while creating diverse employment opportunities.

The educational, health, and social services sector, which had been the second-largest employer (22.7%) in 2010, now represents 13.1% of employment though it remains the second largest industry category with 190 people. This shift may reflect changing service delivery models and efficiency improvements rather than reduced service availability.

Professional and financial service sectors have shown steady growth, with finance, insurance, and real estate increasing from 4.0% to 5.9% since 2000, and professional, scientific, and management services growing from 3.0% to 5.8%. These knowledge-intensive fields bring valuable expertise while diversifying our economic base beyond traditional industries.

Regional Basic/Non-Basic Analysis: Economic Force Multipliers

Table 14: Basic / Non-Basic Employment – Perkins County, 2022

Occupation Category	Basic	Non-Basic	% of Perkins County Workforce	% of State workforce
Management, business, science, and arts	7.60%	34.90%	42.50%	34.90%
Serv ice occupations	0.00%	16.20%	16.20%	16.20%
Sales and office occupations	0.00%	18.70%	18.70%	25.00%
Natural resources, construction, and maintenance	3.80%	10.10%	13.90%	10.10%
Production, transportation, and material moving	0.00%	8.70%	8.70%	13.80%
TOTAL	**11.40%**	**88.60%**	**100.00%**	**100.00%**
Economic Base Multiplier	**7.77**			

Source: American Community Survey 2006-2022 5-Year Estimates

Understanding the relationship between basic employment (exporting goods/services outside the county) and non-basic employment (serving local needs) provides crucial insights into economic sustainability. Perkins County's basic employment has strengthened to 11.4% of the total workforce, primarily concentrated in management/professional roles (7.6%) and natural resources/construction occupations (3.8%).

The economic base multiplier of 7.77 represents a powerful economic engine, indicating that for every job exporting goods or services beyond our borders, 7.77 additional jobs are supported within the local economy. This multiplier effect demonstrates how external revenue streams cascade through our community, creating substantial additional employment opportunities.

The management, business, science, and arts occupational category shows particular strength, with county employment 7.6 percentage points higher than the state average. This reflects both our agricultural expertise and the skilled professional workforce supporting value-added activities in the county.

While service occupations and sales/office positions are purely non-basic, they fulfill essential functions in the local economy, meeting the day-to-day needs of residents and businesses. The natural resources and construction category continues to generate exports while also serving local requirements, demonstrating the dual economic role of these skilled trades.

Table 15: Regional and State Labor Force Comparisons – Perkins County, 2022

Location	Management, business, science, and arts	Service occupations	Sales and office occupations	Natural resources, construction, and maintenance	Production, transportation and material moving	Base Multiplier
Lincoln County	33.7%	17.3%	21.6%	12.4%	15.0%	8.24
Perkins County	42.5%	16.2%	18.7%	13.9%	8.7%	7.77
Keith County	36.2%	15.4%	21.5%	13.8%	13.1%	12.36
Chase County	33.9%	14.5%	24.4%	14.8%	12.4%	8.15
Nebraska	34.9%	16.2%	25.0%	10.1%	13.8%	N/A

Source: American Community Survey 2006-2022 5-Year Estimates

Comparing Perkins County with neighboring counties reveals distinctive regional economic patterns. Perkins County leads the region in management, business, science, and arts occupations at 42.5% - significantly above both the state average (34.9%) and surrounding counties. This concentration of professional and skilled positions reflects our county's innovation in agricultural management and specialized services.

While Keith County maintains a higher base multiplier (12.36), Perkins County's more diversified base employment suggests greater resilience to economic disruptions in any single sector. Our county's balanced approach to economic development creates stability while maintaining strong economic leverage.

The natural resources, construction, and maintenance category shows regional strength across all counties, reflecting the importance of agriculture, resource management, and skilled trades throughout southwest Nebraska. These industries continue to define the regional character while adapting to modern practices and technologies.

Perkins County shows significantly lower representation in production, transportation, and material moving occupations (8.7%) compared to both the state average (13.8%) and neighboring counties. This points to opportunities for growth in manufacturing and logistics that could build upon our existing agricultural strengths.

Retail Pull Factor

Grant had a retail pull factor of 1.61 in 2009, ranking it 2nd in the state compared to other cities of 1,000-2,499 population. This exceptional performance indicates that Grant attracts 61% more retail spending than would be expected based solely on its population. Recent data suggests this strong retail gravitational pull has been maintained, demonstrating Grant's enduring role as a commercial hub serving both county residents and visitors from surrounding areas.

Average Wage Growth

From 2002 through 2008, Perkins County experienced a 37% increase in average wage per job, ranking 36th among Nebraska's 116 reporting counties and metropolitan areas. This growth significantly outpaced the state average of 28% during the same period. Current income data showing median household income growth of 9.25% between 2022 and 2023 from $61,786 to $67,500 indicates this wage growth momentum has continued, reinforcing the county's economic vitality.

Commuter Trends: Connectivity and Workforce Mobility

Table 16: Travel Time to Work, Perkins County, 1990 to 2022

Travel Time Categories	1990	% of Total	2000	% of Total	2010	% of Total	2022	% of Total	% Change 1990-2022
Less than 5 minutes	406	28.90%	267	17.50%	298	19.70%	289	20.40%	-28.80%
5 to 9 minutes	365	26.00%	358	23.40%	254	16.80%	238	16.80%	-34.80%
10 to 19 minutes	385	27.40%	344	22.50%	369	24.40%	351	24.80%	-8.80%
20 to 29 minutes	52	3.70%	173	11.30%	155	10.20%	148	10.50%	184.60%
30 to 44 minutes	19	1.40%	105	6.90%	179	11.80%	167	11.80%	778.90%
45 to 59 minutes	89	6.30%	48	3.10%	58	3.80%	55	3.90%	-38.20%
60 minutes or more	10	0.70%	52	3.40%	69	4.60%	72	5.10%	620.00%
Worked at home	80	5.70%	182	11.90%	133	8.80%	96	6.80%	20.00%
Total	**1,406**	**100.00%**	**1,529**	**100.00%**	**1,515**	**100.00%**	**1,416**	**100.00%**	**0.70%**
Mean Travel Time (minutes)	**9.8**		**15.1**		**17.1**		**14.6**		**49.00%**

Source: U.S. Census Bureau, 1990, 2000, American Community Survey 2006-2022, 5-Year Estimates

Perkins County's commuting patterns have undergone significant transformation over the past three decades, reflecting changes in employment distribution, technological advances, and lifestyle preferences. The average commute time has increased from 9.8 minutes in 1990 to 14.6 minutes in 2022 – a 49.0% increase that remains well below the national average of 26.8 minutes.

The most dramatic shift appears in middle-distance commutes (30-44 minutes), which have increased by 778.9% since 1990. Similarly, long-distance commutes (60+ minutes) have grown by 620.0%. These changes indicate a growing willingness among residents to travel farther for specialized employment opportunities while maintaining their Perkins County residence. This commuting flexibility enhances our workforce's access to diverse career paths without sacrificing our community's quality of life.

Short commutes (under 10 minutes) have decreased from 54.9% of all trips in 1990 to 37.2% in 2022, reflecting both employment decentralization and changing residential patterns. Nevertheless, these quick commutes still represent over one-third of all work trips, showcasing the continued convenience of local employment options.

The work-from-home category shows a net increase of 20.0% since 1990, though it has fluctuated significantly – peaking during the 2000 census before declining. Recent technological improvements in broadband access and remote work acceptance suggest potential for growth in this category moving forward.

Overall, these commuting trends demonstrate Perkins County's evolving integration into the broader regional economy while maintaining strong local employment options. The willingness of residents to commute farther indicates confidence in the county's quality of life that makes longer travel times worthwhile for specialized career opportunities.

Conclusion: Charting the Course for Economic Vitality

Perkins County's economic profile reveals a dynamic community that successfully balances traditional strengths with emerging opportunities. The robust 97.3% growth in median household income since 2000 has substantially outpaced inflation, providing residents with enhanced purchasing power and financial stability. This prosperity is broadly distributed, with households earning over $50,000 more than doubling from 29.1% to 63.3% of all households.

Our employment landscape continues to showcase agricultural leadership, with 19.1% of workers in this sector – over four times the statewide average. Meanwhile, substantial growth in construction, professional services, and hospitality sectors demonstrates successful economic diversification. The economic base multiplier of 7.77 illustrates how our export-oriented businesses generate substantial additional employment throughout the local economy.

Commuting patterns reveal increasing regional connectivity, with residents willing to travel farther for specialized employment while maintaining their Perkins County residence. This flexibility strengthens our workforce's resilience while preserving our community's character and quality of life.

Looking forward, several strategic opportunities emerge:

1. **Agricultural Innovation**: Building on our agricultural expertise to develop value-added processing, specialty crops, and sustainable practices that can command premium prices in global markets.
2. **Remote Work Infrastructure**: Enhancing broadband access and remote work facilities to capture emerging opportunities in the digital economy while attracting knowledge workers seeking rural quality of life.
3. **Senior Services**: Developing targeted services and housing options for our significant 65+ population segment, creating both employment opportunities and enhanced quality of life for seniors.
4. **Tourism and Recreation**: Expanding our hospitality and recreation sectors to capture additional visitor spending while enhancing amenities that benefit local residents.
5. **Workforce Housing**: Addressing housing needs across income levels to support workforce retention and attraction, particularly for the 25-44 age cohort that forms the foundation for future economic vitality.

By leveraging these opportunities while maintaining our traditional strengths, Perkins County can continue its trajectory of economic prosperity, creating a thriving community that honors its heritage while embracing innovation. The economic data tells not just a story of where we've been but illuminates the path to an even more prosperous future.

Perkins County Agricultural Profile: Cultivating Prosperity in the Heartland

Introduction: The Bedrock of Our Economy

Agriculture forms the cornerstone of Perkins County's identity, economy, and landscape. Our agricultural profile reveals a dynamic sector that continues to evolve while maintaining deep connections to the land. This analysis explores key trends in farm numbers, land use, crop production, and market valuation to provide a comprehensive picture of Perkins County's agricultural strengths and opportunities.

The agriculture sector in Perkins County has demonstrated remarkable resilience and adaptation over the decades. As the original driving force behind county formation and development, farming and ranching continue to shape our community's character while embracing technological innovation and sustainable practices that position our producers for continued success in the global marketplace.

Agriculture Trends: The Evolution of Farming

Table 17: Agricultural Profile, Perkins County, 1992-2022

Agricultural Characteristics	1992	1997	2002	2007	2012	2017	2022	% Change 1992-2022
Number of Farms	479	490	438	446	425	419	404	-15.70%
Land in Farms (acres)	532,901	552,882	548,264	558,405	561,327	562,945	563,720	5.80%
Average size of farms (acres)	1,113	1,128	1,252	1,252	1,321	1,343	1,395	25.30%
Total area for Perkins County	566,470	566,470	566,470	566,470	566,470	566,470	566,470	0.00%
Percentage of land in farm production	94.10%	97.60%	96.80%	98.60%	99.10%	99.40%	99.50%	5.70%
Total cropland (acres)	450,965	446,112	437,642	444,497	447,635	450,282	452,413	0.30%
Harvested cropland (acres)	242,334	272,263	265,997	310,566	325,784	342,651	358,976	48.10%
Estimated Market Value of Land & Bldg (avg./farm)	**$ 551,959**	**$ 606,223**	**$ 931,829**	**$ 1,223,128**	**$ 2,156,732**	**$ 3,184,562**	**$ 4,185,235**	**658.30%**
Estimated Market Value of Land & Bldg (avg./acre)	**$ 495**	**$ 521**	**$ 641**	**$ 977**	**$ 1,633**	**$ 2,372**	**$ 3,000**	**506.10%**

Source: U.S. Census of Agriculture, 1992, 1997, 2002, 2007, 2012, 2017, 2022

Farm Numbers and Size: Efficiency Through Scale

The agricultural landscape of Perkins County has undergone significant transformation over the past three decades, reflecting broader trends in American agriculture. Since 1992, the county has experienced a 15.7% decline in the number of farms, decreasing from 479 to 404 by 2022. This consolidation trend accelerated between 2017 and 2022, with a 3.6% reduction in farm numbers over this five-year period, mirroring the statewide pattern where Nebraska's farm count declined by 4% during the same timeframe according to the 2022 Census of Agriculture.

Despite fewer farms, the total land dedicated to agricultural production has increased by 5.8% since 1992, reaching 563,720 acres in 2022 – an impressive 99.5% of Perkins County's total land area. This proportion significantly exceeds Nebraska's statewide average of 89.4% and dwarfs the national average of just 38.9%, highlighting our county's extraordinary agricultural productivity and land utilization.

The average farm size has expanded substantially, growing from 1,113 acres in 1992 to 1,395 acres in 2022 – a 25.3% increase that reflects the economic realities of modern agriculture. Perkins County farms are considerably larger than the Nebraska state average of 989 acres as reported in the 2022 Census, demonstrating the scale efficiencies that our producers have developed to remain competitive in today's agricultural markets.

Cropland Utilization: Maximizing Productive Potential

While total cropland acreage has remained relatively stable with a modest 0.3% increase since 1992, the efficiency of land usage has improved dramatically. Harvested cropland has surged by 48.1% over the 30-year period, expanding from 242,334 acres to 358,976 acres. This represents a fundamental shift in utilization intensity – in 1992, only 53.7% of total cropland and 45.5% of total farmland was harvested, compared to 79.3% of cropland and 63.7% of total farmland by 2022.

This remarkable increase in harvested acreage demonstrates Perkins County farmers' growing proficiency in managing cropland productively while adapting to climate variability and market demands. Improved irrigation technologies, drought-resistant crop varieties, and precision agriculture practices have all contributed to this enhanced productive capacity, creating more consistent yields and reducing the necessity for fallowed fields.

Market Valuation: Strong Appreciation and Changing Conditions

Perhaps the most dramatic agricultural trend has been the explosive growth in land values. The average market value per farm has skyrocketed from $551,959 in 1992 to $4,185,235 in 2022 – a staggering 658.3% increase that substantially outpaces inflation. On a per-acre basis, values have grown from $495 to $3,000, representing a 506.1% appreciation over three decades.

This extraordinary appreciation reflects both agricultural productivity gains and increasing investor confidence in farmland as a stable asset class. For context, the Consumer Price Index increased approximately 106.2% from 1992 to 2022, meaning agricultural land values in Perkins County have appreciated at nearly five times the rate of inflation during this period. This has significantly increased farm equity and borrowing capacity for established operators while creating challenges for new entrants to agriculture.

Market value growth has been particularly robust in recent years, with the average per-acre value rising from $2,372 in 2017 to $3,000 in 2022 - a 26.5 percent increase in five years. More recent market conditions should be verified against the latest available Nebraska agricultural land value publications if this section is updated again before adoption.

Agricultural Significance: More Than Economics

Perkins County's agricultural sector extends far beyond mere statistics – it represents a way of life, a cultural heritage, and a proud tradition that continues to define our community. Agriculture directly employs 19.1% of our workforce with 277 people working in agriculture, forestry, fishing and hunting, making it the county's largest employment sector.

The dominance of agriculture in our landscape – comprising 99.5% of the county's total area – creates both opportunities and responsibilities. This high utilization rate demonstrates exceptional stewardship of our natural resources while presenting ongoing challenges for conservation, water management, and habitat preservation.

Looking beyond direct production, agriculture generates substantial economic multiplier effects throughout Perkins County, supporting implement dealers, seed suppliers, financial institutions, transportation services, and retail businesses. The agricultural economy has developed increasingly complex value chains that extend far beyond the farm, creating diverse employment opportunities while maintaining our connection to the land.

Current Challenges and Opportunities

Today's Perkins County agricultural producers face a dynamic landscape of challenges and opportunities. Rising input costs, water resource management, climate variability, and global market volatility all present significant challenges. Meanwhile, improving commodity prices, technological innovation, carbon sequestration potential, and renewable energy development offer promising pathways for continued prosperity.

The average age of Nebraska producers reached 56.9 years in 2022 according to the Census of Agriculture, highlighting the ongoing challenge of succession planning and the need to attract and support the next generation of farmers and ranchers. Encouragingly, young producers (under age 34) represented 11% of all producers statewide, indicating emerging interest among younger generations.

Technological adoption continues to accelerate, with 83% of Nebraska farms now having internet access compared to 79% nationally. This connectivity enables precision agriculture practices, remote monitoring systems, and data-driven decision-making that enhance both productivity and sustainability.

Table 18: Number of Farms by Size, Perkins County, 1992-2022

Farm Size (Acres)	1992	1997	2002	2007	2012	2017	2022	% Change 1992-2022
1 to 9	17	9	5	6	4	3	5	-70.60%
10 to 49	18	12	14	28	24	26	29	61.10%
50 to 179	53	83	82	83	78	79	72	35.80%
180 to 499	85	95	85	88	74	70	64	-24.70%
500 to 999	105	103	66	66	61	58	53	-49.50%
1,000 or More	201	188	186	175	184	183	181	-10.00%
Total	**479**	**490**	**438**	**446**	**425**	**419**	**404**	**-15.70%**

Source: U.S. Census of Agriculture, 1992, 1997, 2002, 2007, 2012, 2017, 2022

The transformation of Perkins County's farm size distribution over the past three decades tells a compelling story of agricultural evolution and strategic adaptation. This shifting landscape reflects both the economic realities of modern agriculture and the innovative responses of local producers.

Micro-farms (1-9 acres) have declined dramatically, decreasing by 70.6% since 1992. These small operations, often focused on specialty crops or value-added enterprises, now represent just 1.2% of all farms in the county. Conversely, small farms between 10-179 acres have shown remarkable resilience and growth. Farms in the 10-49 acre range have increased by 61.1%, while those in the 50-179 acre category have grown by 35.8%. This expansion suggests increasing viability for well-positioned smaller operations that leverage direct marketing, specialty production, or part-time farming alongside off-farm employment.

The most dramatic contraction has occurred in the mid-sized farm segment (500-999 acres), which has decreased by nearly half (49.5%) since 1992. These operations – often too large for part-time management yet too small to achieve optimal economies of scale – have faced the greatest economic pressures. Many have either consolidated into larger enterprises or been subdivided into smaller, more focused operations.

Perhaps most intriguing is the relative stability of the largest farm category (1,000+ acres), which has decreased by only 10.0% despite representing the majority of agricultural land. These operations now account for 44.8% of all farms but control approximately 85% of the county's farmland. Their persistence despite economic pressures demonstrates the continued viability of scale-efficient operations in commodity production.

This evolving farm size distribution has profound implications for Perkins County's agricultural future. While overall farm numbers have declined by 15.7%, the emergence of diverse farm sizes suggests an agricultural landscape that accommodates multiple successful business models – from large-scale commodity production to specialized smaller enterprises – each making valuable contributions to our agricultural economy and rural vitality.

Table 19: Number of Farms/Livestock, Perkins County, 1992 to 2007

Type Of Livestock	1992	1997	2002	2007	2012	2017	2022	% Change 1992 to 2022
Cattle And Calves								
Farms	172	175	141	129	121	118	112	-34.90%
Animals	29,886	29,886	26,604	29,172	30,456	31,728	32,645	9.20%
Average Per Farm	174	171	189	226	252	269	291	67.20%
Beef Cows								
Farms	137	135	125	104	97	93	88	-35.80%
Animals	8,870	9,910	(D)	9,605	10,127	10,554	11,280	27.20%
Average Per Farm	65	73	-	92	104	113	128	96.90%
Milk Cows								
Farms	10	4	2	-	-	-	-	-100.00%
Animals	266	157	(D)	-	-	-	-	-100.00%
Average Per Farm	27	39	-	-	-	-	-	-
Hogs And Pigs								
Farms	32	17	10	8	7	5	4	-87.50%
Animals	3,981	2,146	(D)	(D)	(D)	(D)	(D)	-
Average Per Farm	124	126	-	-	-	-	-	-
Sheep And Lambs								
Farms	20	11	10	8	5	6	8	-60.00%
Animals	1,187	425	369	188	165	342	487	-59.00%
Average Per Farm	59	39	37	24	33	57	61	3.40%
Chickens (Layers & Pullets)								
Farms	26	10	15	9	12	14	19	-26.90%
Animals	(D)	238	434	217	356	483	614	-
Average Per Farm	(D)	24	29	24	30	35	32	-

Source: U.S. Census of Agriculture, 1992, 1997, 2002, 2007,2012, 2017, 2022

Perkins County's livestock sector has undergone dramatic transformation, characterized by consolidation, specialization, and intensification. While the overall number of livestock operations has decreased significantly, total animal production has remained stable or increased in key sectors, demonstrating the remarkable efficiency gains and production focus of modern livestock enterprises.

Cattle operations remain the cornerstone of Perkins County's livestock industry, though the number of farms raising cattle and calves has declined by 34.9% since 1992. Despite fewer operations, total cattle numbers have increased by 9.2%, reaching 32,645 animals in 2022. This consolidation has resulted in substantially larger operations, with the average herd size growing from 174 to 291 animals – a 67.2% increase that reflects the economies of scale necessary in modern cattle production.

The beef cow sector shows similar trends, with 35.8% fewer operations but 27.2% more animals since 1992. The average beef cow herd has nearly doubled to 128 animals per farm, indicating specialized cow-calf production has become increasingly concentrated among dedicated operations. This growth in cattle numbers stands in stark contrast to the national cattle inventory, which declined by approximately 3% between 2019 and 2023.

Dairy production, once a small but viable enterprise in Perkins County, has completely disappeared since 2002, reflecting the intense consolidation of the dairy industry nationwide. Small-scale dairy production has become economically challenging without substantial capital investment and scale, leading former dairy producers to transition to other agricultural enterprises.

Hog production exemplifies the extreme consolidation trend in modern agriculture. While the number of hog farms has plummeted by 87.5%, two large-scale operations developed in the late 1990s have substantially increased total production. According to county records, these facilities have declared capacities of 15,960 and 25,000 animals respectively, demonstrating the shift toward highly specialized, large-scale confinement operations in the pork industry.

Sheep production, after declining precipitously through 2012, has shown encouraging resurgence. While 60% fewer farms raise sheep compared to 1992, total sheep numbers have increased by 159% since their 2012 low point, reaching 487 animals in 2022. The average flock size has returned to early 1990s levels, suggesting renewed interest in sheep production, potentially driven by strong lamb prices and the complementary grazing potential with cattle operations.

Poultry production has demonstrated similar resilience, with a 58% increase in layer operations since 2007. The growing number of backyard and small-scale poultry enterprises reflects both the local food movement and increasing consumer interest in specialty egg production. These operations, while modest in scale, contribute to agricultural diversity and direct-to-consumer marketing opportunities.

This evolving livestock landscape demonstrates both challenges and opportunities. While consolidation has reduced the number of operations, specialized producers have found sustainable production niches. The county's strong cattle sector, emerging sheep industry, and growing poultry enterprises suggest continued vitality in livestock production despite the significant structural changes of the past three decades

Table 20: Number of Farms & Crops by Type, Perkins County, 1992 to 2022

Type Of Crop	1992	1997	2002	2007	2012	2017	2022	% Change 1992 to 2022
Corn For Grain								
Farms	232	251	229	229	218	210	201	-13.4%
Acres	95,266	115,823	130,292	165,787	169,453	176,842	180,753	89.7%
Average Per Farm	411	461	569	724	777	842	899	118.7%
Corn For Silage								
Farms	19	17	22	10	8	6	5	-73.7%
Acres	617	963	2,637	400	325	274	251	-59.3%
Average Per Farm	32	57	120	40	41	46	50	56.3%
Sorghum								
Farms	11	4	3	-	2	3	5	-54.5%
Acres	1,334	435	(D)	-	(D)	315	427	-68.0%
Average Per Farm	121	109	-	-	-	105	85	-29.8%
Wheat								
Farms	370	328	271	251	243	231	218	-41.1%
Acres	123,005	119,352	97,144	113,720	118,456	123,784	131,257	6.7%
Average Per Farm	332	364	358	453	488	536	602	81.3%
Oats								
Farms	21	8	9	3	2	3	4	-81.0%
Acres	970	206	387	78	(D)	85	143	-85.3%
Average Per Farm	46	26	43	26	-	28	36	-21.7%
Soybeans								
Farms	16	12	51	33	56	73	92	475.0%
Acres	1,443	1,289	10,967	5,381	14,873	27,642	38,256	2551.1%
Average Per Farm	90	107	215	163	266	379	419	362.2%
Dry Edible Beans								
Farms	-	-	-	-	3	5	8	-
Acres	-	-	-	-	378	1,254	2,867	-
Average Per Farm	-	-	-	-	126	251	358	-
Cover Crops								
Farms	-	-	-	-	12	35	64	-
Acres	-	-	-	-	1,453	5,678	11,256	-
Average Per Farm	-	-	-	-	121	162	176	-

Source: U.S. Census of Agriculture, 1992, 1997, 2002, 2007, 2012, 2017, 2022

Perkins County's crop production landscape has evolved dramatically over the past three decades, characterized by intensification of traditional crops, strategic diversification, and adoption of sustainable practices. These shifts reflect producers' innovative responses to changing markets, climate conditions, and agricultural technologies.

Corn production continues its dominant role in the county's agricultural system, with grain corn acreage surging by 89.7% since 1992. Despite 13.4% fewer corn producers, total production has nearly doubled, with average corn acreage per farm increasing by 118.7% to 899 acres. This remarkable expansion demonstrates both technological advances in corn genetics and the significant investment in irrigation infrastructure throughout the county. In 2022, corn for grain represented 50.4% of all harvested cropland in Perkins County, solidifying its position as the region's primary crop.

Wheat, historically the county's signature crop, has maintained its critical role in the agricultural system despite changing production patterns. While wheat farms have decreased by 41.1%, total wheat acreage has grown modestly (6.7%) since 1992, with average acres per farm increasing by 81.3%. Wheat now accounts for 36.6% of harvested cropland, and its continued importance in crop rotations reflects both its agronomic value and its ability to utilize soil moisture efficiently in the semi-arid High Plains environment.

Perhaps the most dramatic transformation appears in soybean production. Once a minor crop with just 16 producers and 1,443 acres in 1992, soybeans have experienced explosive growth – expanding by an astounding 2,551.1% to 38,256 acres by 2022. The number of soybean producers has increased by 475.0%, now totaling 92 farms with an average of 416 acres each. This remarkable expansion reflects both improved soybean varieties adapted to the region and the complementary role of soybeans in corn rotations.

Two emerging crops highlight producers' strategic diversification efforts. Dry edible beans have established a growing presence since first appearing in the 2012 data, expanding to 8 farms and 2,867 acres by 2022. With average returns substantially exceeding traditional commodities, these specialty crops offer profitable diversification for producers with appropriate soil conditions and irrigation capabilities.

Perhaps the most significant for long-term sustainability is the dramatic increase in cover crop adoption. From just 12 farms and 1,453 acres in 2012, cover crop utilization has expanded to 64 operations and 11,256 acres by 2022 – representing 15.8% of farms and 3.1% of cropland. This eight-fold increase in cover crop acreage demonstrates producers' growing commitment to soil health, erosion control, and sustainable farming practices.

Traditional minor crops have experienced mixed trends. Corn silage has declined by 59.3% as specialized dairy operations have disappeared from the county. Sorghum, after nearly disappearing by 2007, has shown modest resurgence to 427 acres, potentially reflecting renewed interest in drought-tolerant alternatives and forage options. Oats have experienced severe decline (85.3%) but maintain a small presence for specialty feed and cover crop purposes.

This evolving crop production mosaic represents both adaptation to economic realities and innovation in farming systems. While traditional crops maintain their dominant role, the strategic diversification into soybeans, dry beans, and cover crops demonstrates Perkins County producers' willingness to embrace both new market opportunities and sustainable practices that promise long-term agricultural viability.

Integrated Perspective: The Future of Perkins County Agriculture

The agricultural profile of Perkins County reveals a dynamic sector that has demonstrated remarkable resilience and transformation over the past three decades. Despite a 15.7% decline in total farm numbers since 1992, agricultural land utilization has increased to an impressive 99.5% of the county's total area, far exceeding both state and national averages. The changing farm size distribution shows strategic adaptation, with significant growth in both small specialty operations (10-179 acres) and continued stability in large-scale farms (1,000+ acres), while mid-sized operations have faced the greatest consolidation pressure.

In livestock production, cattle remains the cornerstone industry with 9.2% more animals despite 34.9% fewer operations, demonstrating significant efficiency gains through economies of scale. While traditional sectors like dairy have disappeared, encouraging trends include the resurgence of sheep production and growth in small-scale poultry enterprises. Crop production has evolved dramatically, with corn for grain increasing by 89.7% to become the dominant crop (50.4% of harvested cropland), while wheat maintains its importance (36.6% of harvested cropland). The most striking transformation is in soybeans, which expanded by an astounding 2,551% since 1992. Emerging trends in specialty crops and cover crop adoption demonstrate producers' commitment to both diversification and sustainability.

The extraordinary appreciation in land values, which have increased by over 500% since 1992, has built significant wealth for established producers while creating barriers for new entrants. As agriculture remains the cornerstone of Perkins County's economy, employing 19.1% of the workforce directly, the sector's future appears promising based on its demonstrated capacity to innovate and adapt to changing market conditions.

ATTAINABLE GOALS FOR AGRICULTURE IN PERKINS COUNTY

1. Agricultural Infrastructure Enhancement

- Develop a comprehensive inventory of irrigation systems and water resources by 2026, identifying opportunities for efficiency improvements and conservation measures
- Establish dedicated agricultural transportation corridors to facilitate efficient movement of commodities and reduce conflicts with residential traffic
- Invest in broadband infrastructure to ensure 100% of agricultural operations have high-speed internet access by 2030, enabling full adoption of precision agriculture technologies
- Upgrade road maintenance programs for high truck traffic roads serving agricultural operations, ensuring safe and efficient commodity transport throughout the county

2. Strategic Land Use Management

- Maintain 99% agricultural land utilization while designating appropriate buffer zones at urban-agricultural interfaces to reduce land use conflicts
- Develop flexible zoning policies that accommodate agricultural diversification, value-added enterprises, and renewable energy projects while preserving prime farmland
- Create an agricultural land preservation program that includes voluntary conservation easements and incentives for keeping productive land in agricultural use

3. Diversification and Value-Added Development

- Utilize an agricultural innovation center to support development of specialty crops, livestock enterprises, and value-added processing operations, such as the Stumpf Research Center
- Develop financial incentives for on-farm diversification projects that enhance economic resilience and environmental sustainability
- Create a county-branded marketing initiative to help local producers capture premium prices for specialty agricultural products
- Conduct a livestock grazing analysis to identify opportunities for expanding and diversifying grazing enterprises, improving pasture management, and integrating livestock into crop production systems
- Promote agritourism as a value-added enterprise for farms and ranches, connecting visitors with Perkins County's agricultural heritage and generating supplemental income for producers

4. Next Generation Agricultural Support

- Implement a beginning farmer program that includes mentorship, access to county-owned land for startup operations, and partnership opportunities with established producers
- Develop agricultural education initiatives with local schools to build awareness of career opportunities in modern agriculture
- Create housing development zones specifically designed to accommodate agricultural workers and next-generation farm families

5. Water Resource Management

- Establish a county-wide water management plan that balances agricultural needs with long-term aquifer sustainability
- Implement incentives for water conservation technology adoption, including moisture sensors, efficient irrigation systems, and drought-resistant crop varieties
- Develop cooperative watershed management protocols with neighboring counties to ensure consistent approaches to water quality and quantity issues

6. Climate Adaptation and Sustainability

- Encourage voluntary carbon sequestration program that rewards producers for implementing soil health and conservation practices
- Develop climate resilience guidelines for agricultural operations, incorporating drought mitigation, extreme weather response, and long-term adaptation strategies
- Encourage adoption of regenerative agriculture principles to enhance soil health, water conservation, and productivity: (1) keep soil covered with crop residue; (2) minimize soil disturbance through no-till practices; (3) maintain living roots year-round through cover crops or perennial grasses and legumes; (4) build biodiversity through diverse crop rotations and cover crops; and (5) integrate livestock grazing into cropping systems. These practices improve soil organic matter, reduce input costs, and strengthen long-term agricultural resilience
- Include wildfire prevention and precaution considerations in public reminders and communications, particularly during periods of dry and low-humidity conditions common to the region's sub-humid climate
- Establish renewable energy development zones that accommodate solar and wind installations while minimizing impacts on prime agricultural land. Encourage 'dual-use' systems such as solar farms with livestock grazing or pollinator habitat to maintain productive agricultural land use within renewable energy footprints

These targeted goals build upon Perkins County's agricultural strengths while addressing emerging challenges, positioning the sector for continued prosperity and sustainability for generations to come.

COMMUNITY FACILITIES

Introduction

Vibrant communities thrive on the backbone of well-designed public facilities and services. In Perkins County, these essential amenities represent the collective investment of residents in their shared future. From state-of-the-art medical facilities to cutting-edge educational institutions, these resources form the foundation of community well-being and prosperity.

Public facilities encompass a diverse range of buildings, utilities, and services maintained by various levels of government to ensure the safety, vitality, and enjoyment of county residents. These facilities provide Perkins County's residents with critical social, cultural, educational, protective, and recreational opportunities designed to meet evolving community needs.

As Perkins County continues to evolve in this changing landscape, anticipating future demands for goods and services becomes imperative for maintaining a strong, vital community. The Facilities Plan evaluates existing infrastructure, projects future needs, and determines appropriate service levels to meet anticipated demands. In some instances, non-governmental private or non-profit organizations provide essential services that complement public offerings – these organizations are particularly valuable in rural counties like Perkins with more dispersed populations.

Facilities Plan

The Facilities Plan component of Perkins County's Comprehensive Development Plan provides a thorough assessment of all public and private facilities and services currently available. This section evaluates current demands against accepted standards to determine capacity adequacy and establish required service levels for future needs. For facilities identified as inadequate for present or anticipated requirements, the plan recommends specific improvements.

The Facilities Plan for Perkins County encompasses the following key categories:

- Recreational Facilities
- Educational Facilities
- Fire, Ambulance and Law Enforcement
- County/Community Buildings & Historical Sites
- Transportation Facilities
- Communication Facilities
- Public Utilities
- Health Facilities

RECREATIONAL FACILITIES

Perkins County

Recreational opportunities in Perkins County have seen strategic development since the original plan, with facilities primarily concentrated within and supported by the various municipalities throughout the county. The Perkins County Fair, held annually in July, continues to be a centerpiece community event, offering numerous recreational activities for residents and visitors.

Image Total Fitness Center on Central Avenue in Grant, remains a vital health resource, equipped with modern exercise equipment including treadmills, stationary bikes, and weight-lifting apparatus. The center has expanded its offerings to include a wider variety of fitness classes to meet diverse community needs and interests.

Municipal Facilities

The Grant City Park continues to serve as a central recreational hub, located conveniently five blocks north of the business district on Central Avenue. The park maintains the county's only municipal swimming pool, alongside a picturesque band shell, updated playground equipment, and ample picnic facilities under mature shade trees. The city's sports infrastructure includes two well-maintained softball fields and one baseball field.

The Grant municipal golf course, situated three miles north of the city on Highway 61, has undergone improvements to enhance player experience while preserving its character as a well-maintained nine-hole course with grass greens and upgraded clubhouse facilities.

The Village of Madrid continues to feature its modern grass baseball field with irrigation system and secure fencing. The Villages of Venango and Elsie maintain their recreational spaces, with Elsie offering two parks – one containing a baseball field and tennis court, and the other featuring a sand volleyball court. Both Elsie and Venango have added new playground equipment in recent years, improving quality of life for families and attracting visitors to the villages.

Other Recreational Facilities and Locations

Beyond Perkins County's boundaries, residents have access to several significant recreational assets in neighboring areas. Notable among these is Lake McConaughy in Keith County, located approximately 32 miles north of Grant. This massive reservoir encompasses 5,492 land acres, 1,000 marsh acres, and 30,500 water acres, totaling nearly 58 square miles of recreational space. The lake is formed by Kingsley Dam, which continues to generate significant hydroelectric power.

Lake Ogallala, situated immediately below Kingsley Dam, maintains its reputation as an excellent cold-water fishery within its 719-acre footprint.

Other regional recreational assets include:

- Champion Mill State Historical Park in Chase County, offering camping facilities and picnic shelters within its historical setting
- Enders Reservoir State Recreation Area in Chase County, providing nearly 2,900 acres for camping, fishing, and boating
- Sutherland Reservoir State Recreation Area in Lincoln County, featuring approximately 3,100 acres with facilities for camping, fishing, swimming, and boating

The North Platte Raceway at the Lincoln County Fairgrounds continues to offer motorsport entertainment approximately 72 miles northeast of Grant. The nearest developed hike/bike trails remain in Ogallala.

EDUCATIONAL FACILITIES

Schools

Perkins County is served by a unified county-based school district, Perkins County Schools, with facilities strategically positioned within the county. According to current data, the district serves 419 students across grades PK-12 with a favorable student-teacher ratio of 12 to 1. Academic performance remains strong, with 67% of students demonstrating proficiency in both math and reading on state assessments.

The district maintains two main facilities:

- High School (Grant)
- Elementary School (Grant)

Perkins County High School is ranked 64th within Nebraska and #10,671 in the National Rankings. The high school has a total minority enrollment of 14%, and 32% of students are economically disadvantaged.

In addition to the public school system, Perkins County continues to benefit from educational diversity through private educational institutions. The Golden Plains Mennonite School in rural Madrid remains active and is associated with the Golden Plains Church of God in Christ, Mennonite. The school was established around the same time as the church was founded in the area in the mid-1970s. According to historical legal documentation, the Golden Plains School provides education through the eighth grade following curriculum requirements established by the State Department of Education.

The county also continues to benefit from educational diversity through the Christian elementary school at the Evangelical Free Church in Grant.

Farm to School programs are now a reality in Perkins County, with locally grown foods entering public school cafeterias. This initiative connects students directly to regional agriculture, supports local producers, and builds awareness of healthy eating and food systems.

Post-Secondary

Post-secondary educational opportunities available to Perkins County residents have expanded significantly in recent years. Mid Plains Community College, which serves an 18-county area in West-Central Nebraska, maintains a community campus in Ogallala just 20 miles north of Grant. This institution is part of a comprehensive system with seven campuses across the region, including locations in McCook, North Platte, and additional community campuses in Broken Bow, Imperial, Ogallala, and Valentine.

Mid-Plains Community College offers various "laddering programs" designed to help income-eligible students with support and training for high-demand jobs, particularly in healthcare fields. The college provides career coaching and assistance with job placement for program participants.

The University of Nebraska-Nebraska College of Technical Agriculture (NCTA) in Curtis, located approximately 65 miles east of Perkins County, continues its mission of preparing students for careers in agriculture through specialized degree programs.

The West Central Research and Extension Center (WCREC) in North Platte, part of the University of Nebraska-Lincoln Institute of Agriculture and Natural Resources, provides valuable research and educational resources to the region.

Extension and 4-H Programs

The Perkins County Extension Office continues to offer a wide variety of educational programming to residents. The Nebraska Extension office in Perkins County is located at 76025 Road 329 near Grant, at the Stumpf Research Center, and can be reached at (308) 352-4340.

Perkins County 4-H maintains an active presence through both traditional channels and social media, with dedicated Facebook and Sports You pages to keep the community informed. The program provides resources for the annual county fair, including fair books, schedules, and information about shows and competitions.

Current extension programs include specialized agricultural initiatives such as the 2025 Special Garden Project focusing on the Goldie Husk Cherry, and the Special Agronomy Project spotlighting sunflowers. These programs enable youth to cultivate crops, explore their traits, and assess their viability in the region.

Like other Nebraska counties, the traditional 4-H Program in the region is open to youth 8-18 years of age, with a Clover Bud program for youth ages 5-7. The program follows the principle of "learning by doing" and offers a variety of projects to accommodate diverse interests. The 4-H year begins in October and runs through September.

Current 4-H and Extension programs include:

- Agricultural education and crop development
- Livestock management and showing
- Special garden and agronomy projects
- Youth leadership development
- Community service initiatives
- Life skills education
- STEM-related activities and projects

This comprehensive educational foundation, combining public and private institutions with robust extension services, ensures Perkins County residents have access to quality education and lifelong learning opportunities that support both individual growth and community development.

FIRE, AMBULANCE AND LAW ENFORCEMENT

Fire & Ambulance

Perkins County maintains robust emergency services through four fire departments strategically located throughout the county. These departments serve a population of approximately 2,900 people across 884 square miles, providing critical fire protection and emergency response services to the community. All departments continue to participate in the Southwest Nebraska Mutual Aid District, ensuring coordinated responses to larger emergencies.

Grant Volunteer Fire Department

The Grant Fire Department continues to serve the Grant Suburban Fire District with dedicated volunteers. The department maintains state-of-the-art equipment including Class "A" pumpers, tankers, grass rigs, rescue vehicles, and command vehicles. Department members regularly participate in certification and training programs to ensure high-quality emergency response capabilities.

The Grant Fire Department provides the primary staffing for the Perkins County Ambulance service, which operates three licensed ambulances – two based in Grant and one in Venango. Emergency Medical Technicians (EMTs) are distributed throughout the county, with the majority based in Grant and additional certified personnel in Venango and Elsie. The department conducts regular training in a comprehensive range of emergency response disciplines.

Venango Volunteer Fire Department

The Venango Volunteer Fire Department serves western Perkins County and portions of eastern Colorado with a full complement of equipment including pumpers, tankers, rescue vehicles, and ambulance services.

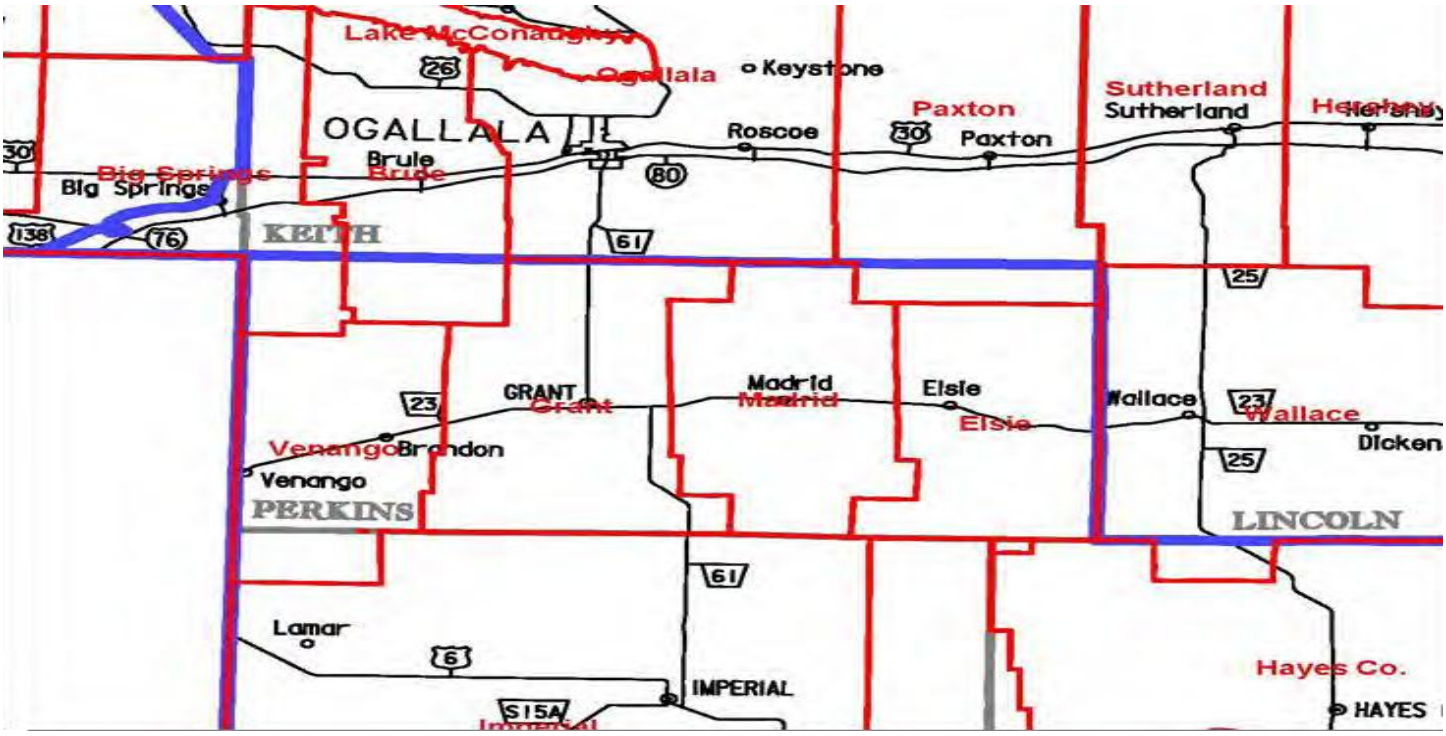
Madrid Volunteer Fire Department

The Madrid Volunteer Fire Department maintains necessary emergency response equipment including pumpers, grass rigs, tankers, and rescue vehicles, with certified EMTs among its volunteer force.

Elsie Volunteer Fire Department

The Elsie Fire Department operates with a fleet of emergency vehicles including pumpers, grass rigs, tankers, and command vehicles, and includes certified EMTs among its active membership.

FIGURE 4: FIRE DISTRICT MAP



Law Enforcement

The Perkins County Sheriff's Department continues to provide comprehensive law enforcement services throughout the county. The department is staffed by the Sheriff and Deputy-Sheriffs equipped with vehicles and necessary equipment to ensure efficient and effective service delivery. The department utilizes the Keith County Jail and other regional facilities for incarceration needs. The Sheriff's Department provides patrol and investigative services to the communities of Grant, Madrid, Elsie, and Venango.

COUNTY/COMMUNITY BUILDINGS & HISTORICAL SITES

County Court House

The Perkins County Courthouse, a distinguished three-story structure located in Grant, continues to serve as the centerpiece of county government. Established following the county's formation in 1887, this building represents the evolution of local government. After utilizing more modest facilities in its early years, the county constructed the current Classical Revival style building in 1927, creating an enduring symbol of civic pride and governance. This historic building has been meticulously maintained throughout the years and remains in excellent condition. Previous renovations included complete electrical updates and the installation of an elevator serving all three floors. The building's original design featuring extra-wide doors fortuitously accommodates modern accessibility requirements. Both the interior and exterior of this landmark structure are well-preserved, honoring the county's heritage while meeting contemporary needs.

County Road Department/Maintenance Shop(s)

Perkins County maintains multiple maintenance facilities strategically located throughout the county to ensure efficient road maintenance and emergency response. These include:

- A primary facility one mile west of City Hall in Grant (constructed in the late 1960s)
- A secondary facility in Madrid (built around 1975) with an additional steel pole storage building
- Additional maintenance shops in Elsie and Brandon

These facilities remain in good operational condition and continue to meet the county's maintenance needs.

County Historical Buildings

Perkins County treasures its historical assets, with one designated historical district and two properties registered on the National Register of Historical Sites. Through the Nebraska State Historical Society's Renaissance Survey, numerous potential historical sites throughout the county have been investigated, including 75 farms, 79 buildings and houses, a grain elevator, and two water towers.

Grant Historical District

Established in 1897 along the Chicago, Burlington & Quincy Railroad line, the Grant Historical District showcases the commercial development and agricultural prosperity that shaped southwestern Nebraska. This roughly three-block district primarily features early twentieth-century one-story commercial buildings that represent the community's economic boom years. The commercial district constructed since 1910 remains remarkably intact, preserving an authentic glimpse into the county's economic heritage.

Grant City Park

The Grant City Park holds historical significance through its association with the Works Progress Administration (WPA). Construction began in 1935 and was completed in 1939, exemplifying the recreational facilities developed through New Deal public programs. The park continues to serve as both a recreational resource and a living monument to this important period in American history.

Perkins County Museum

The Perkins County Museum, housed in a building constructed in 1910 as a wedding gift, continues to preserve and showcase local history. Acquired by the Perkins County Historical Society in 1964 and supported by annual county allocations, the museum complex has expanded over the years to include additional exhibit space and a relocated rural schoolhouse. A major renovation in 2010-2011 included basement improvements and comprehensive interior restoration.

Texas-Ogallala Cattle Trail

The historic Texas-Ogallala Cattle Trail traverses the county from south to north, offering a tangible connection to the region's ranching heritage. The trail passes near Madrid in the eastern part of the county.

Senior Center

The Grant Senior Center remains a vibrant community hub located at the north edge of the business district. The center offers daily meals Monday through Friday, including meals-on-wheels delivery service, and special holiday celebrations. Additional activities include quilting, card games, and social gatherings. The center also operates a Thrift Center that serves both social and practical community needs.

Perkins County Fairgrounds

Located at the western edge of Grant, the Perkins County Fairgrounds host the annual county fair in late July, bringing together residents for agricultural exhibitions, entertainment, and community celebrations. The county provides ongoing maintenance and improvements to ensure the facility meets contemporary needs and standards.

Hastings Memorial Library

The Hastings Memorial Library has served as Grant's public library since its founding by the Grant Women's Club in 1920. Originally supported through donated books and various fundraisers, the library operated from several locations along Main Street during its early decades. In May 1967, the library acquired its first permanent home when area attorney George B. Hastings bequeathed his law office building to the city of Grant, with the request that it be named the Hastings Memorial Library in memory of his late daughter, Frances Elizabeth Hastings. The library relocated to its current facility at 505 Central Avenue in September 2003 following an extensive renovation project supported by community volunteers and the Grant Rotary Club as their Centennial Project. Today the library's collection includes over 14,000 volumes of fiction and non-fiction for all ages, audiobooks, DVDs, magazines, and an extensive local history and genealogy collection. The library also maintains digitized archives of Perkins County historical newspapers dating back to 1892, preserving an invaluable record of the county's heritage.

Meadowlark Gallery

The Meadowlark Gallery, operated by the Perkins County Area Arts Council, was established in 2004 to provide the community with a home for artistic pursuits and appreciation. Located at 246 Central Avenue in downtown Grant, the gallery is housed in a historic building that previously served as a law office before being donated for community use. As a nonprofit 501(c)(3) organization, the gallery fulfills its mission of promoting, stimulating, encouraging, and assisting artists in exhibiting their work. The gallery operates seasonally from March through November, staffed entirely by volunteer members and artists on Friday and Saturday evenings. Each season features rotating exhibitions showcasing diverse artistic media, from paintings and photography to quilts and jewelry. The annual Youth Art Month exhibition in March highlights works by Perkins County Schools students, recognizing the creative talents of the county's young artists.

TRANSPORTATION FACILITIES

Truck Line Service

While Perkins County does not host intrastate or interstate truck line headquarters, daily delivery services from major carriers including UPS and FedEx continue to meet local shipping needs.

Railroad Service

The Nebraska-Kansas-Colorado Rail Net (NKC) provides vital freight service to Perkins County. This short-line railroad operates 450 miles of track across three states, with interchange points in Sterling (Colorado), Holdrege, and Orleans, Nebraska connecting to Burlington Northern lines for nationwide shipping access.

The nearest passenger rail service remains available through AMTRAK in McCook.

Bus Service

While no commercial bus service operates directly in Perkins County, the Senior Center's handy bus provides transportation within Grant and coordinates trips from nearby villages for medical appointments and shopping. Occasionally, the center organizes excursions to Imperial, Ogallala, and North Platte for special events.

Regional shuttle services include Dashabout Shuttle, which provides transportation to Denver International Airport and Omaha Eppley Airfield with pickup locations in nearby communities, and Eppley Express, which operates between Kearney and Omaha.

Airports

The Grant Municipal Airport serves as Perkins County's air transportation hub with one 4,797-foot runway accommodating approximately 800-1,000 aircraft operations annually. The facility provides particular value for medical specialists flying in to deliver specialized treatment and consulting services to area patients.

For commercial passenger and freight services, residents utilize Lee Bird Field in North Platte, which offers regular connections to Denver International Airport. With over 9,300 annual passengers, the North Platte facility maintains capacity for future growth.

COMMUNICATION FACILITIES

Telephone Services

Perkins County's telecommunications landscape has evolved to include multiple internet and cellular phone providers offering diverse communication services. Local landline telephone services continue to be provided by three companies:

- Great Plains Communication serving Grant and Venango
- Consolidated Telephone serving Madrid
- Hi-Line Communications serving Elsie

Long-distance service providers include major national carriers ensuring residents maintain reliable connections beyond county borders.

Internet and Fiber Optics

Perkins County now benefits from a 100GB redundant statewide fiber optic network owned by Great Plains Communications that terminates in Grant and feeds Venango. This advanced infrastructure provides access to internet carrier hotels in both Denver and Omaha, ensuring robust connectivity for residents and businesses.

The Perkins County Hospital is connected to the Rural Nebraska Health Network, accessing a redundant fiber network that terminates at Regional West Medical Center in Scottsbluff to support advanced telehealth capabilities.

All of Perkins County is served by NebraskaLink, a broadband company that leverages the combined fiber infrastructure of seven independent Nebraska telephone companies, including Great Plains Communications and Consolidated Companies.

Radio and Television

Radio and television services continue to adequately serve Perkins County residents, with expanded digital and streaming options complementing traditional broadcast media.

Newspapers

The Grant Tribune Sentinel remains the county's primary news source, publishing weekly on Thursdays with a circulation of approximately 2,000. Residents also access regional publications including the North Platte Telegraph, Keith County News, Omaha World Herald, and Denver Post, with both print and digital formats available.

PUBLIC UTILITIES

Perkins County residents benefit from reliable distribution of essential fuels including propane gas, gasoline, diesel, and oils through various providers throughout the region.

Solid waste management in Perkins County operates through multiple systems. The City of Grant collects municipal waste using city trucks and transports it to the landfill in north central Perkins County. The Villages of Elsie and Venango contract with Waste Management of Nebraska, Inc. for solid waste collection and disposal.

The J Bar J Solid Waste Disposal Facility, operated by Waste Connections, continues to serve the region from its location in Section 30, Township 12 North, Range 39 West. Operating since 1991, this facility manages municipal solid waste and construction/demolition debris for a service area encompassing west and southwest Nebraska, northeast Colorado, and northwest Kansas.

The City of Grant maintains a comprehensive recycling program, allowing county residents to deposit recyclable materials at convenient drop-off locations.

Electrical power in Perkins County is supplied by multiple providers ensuring reliable service to meet current and future requirements. Natural gas service is also available throughout the county.

Additional information on energy resources and utilization can be found in the Energy Element chapter of this comprehensive plan.

HEALTH FACILITIES

Medical Clinics

Perkins County residents have access to a world class medical clinic in Grant: The Grant Medical Clinic at 900 Lincoln Avenue. This facility provides comprehensive care for patients of all ages.

Grant Medical Clinic

The medical staff includes but is not limited to:

- 3+ full-time medical doctors
- 3+ physician assistants
- 2+ medical technicians
- 4+ Advance Practice Registered Nurses (APRN's)
- Access to comprehensive hospital diagnostic services including X-rays, MRI, CT scans, laboratory testing and limited onsite laboratory testing

Hospitals and Elderly Care Facilities

Perkins County Health Services (PCHS) operates as an integrated local healthcare system that includes Perkins County Community Hospital, Grant Medical Clinic, and Hugs and Teddy Bears Child Care Center. For clarity within this plan, long-term care and assisted living facilities discussed below should be treated as separate facilities unless specifically identified as part of PCHS.

Perkins County Health Services (PCHS) maintains modern facilities with both acute care and nursery beds. Following planned expansions, the hospital now offers enhanced patient accommodations including single-occupancy rooms with private bathrooms. Expanded dietary, laboratory, and radiology departments provide comprehensive services, and a therapeutic aquatics pool supports physical rehabilitation needs.

Perkins County Health Services has a multidisciplinary medical and support staff that includes but is not limited to:

Nursing and Support Staff:

- Registered Nurses: 13
- Licensed Practical Nurses: 6
- Nursing Aides: 6
- X-ray Technicians: 5
- Lab Technicians: 4
- Surgical Technicians

Medical Doctors & Providers:

- Family Medicine:
  - Physicians
  - Nurse Practitioners (APRN)
  - Physician Assistants (PA-C)
- General Surgery:
  - Surgeons
  - Physician Assistants (PA-C)
- Anesthesia:
  - Certified Registered Nurse Anesthetists (CRNA)

- Emergency Medicine/Hospitalist:
    - Physician Assistants (PA-C)
- Specialists (Consulting): The hospital also has a consulting staff of 44 medical doctors, representing 16 different specialties.

Other Support:

- Dietitians
- Radiology Technicians

The hospital's consulting staff includes numerous medical specialists representing diverse practice areas who see patients and perform procedures at PCHS. Advanced diagnostic equipment includes CT scanning, MRI, bone density testing, and digital mammography. Comprehensive care facilities include operating rooms and emergency treatment areas.

PCHS's rehabilitative services include physical therapy, occupational therapy, cardiac rehabilitative services, and home health services with qualified professional staff.

Additional Medical Facilities near Perkins County

Residents can access additional healthcare services in neighboring communities:

Ogallala

The Ogallala Community Hospital provides 18 inpatient beds and employs nearly 100 physicians across primary care, specialty, and intensive care disciplines. Key services include infusion therapy, medical imaging, orthopedics, surgery, and women's health services.

Medical groups in Ogallala include:

- The Ogallala Medical Group with multiple physicians, general and specialized surgeons, physician assistants, and 30 visiting specialists
- The Family Medical Center with physicians, physician assistants, and nursing staff

Chase County

Chase County Community Hospital in Imperial offers a 26-bed acute care facility serving southwestern Nebraska. The facility employs full-time physicians and hosts numerous visiting specialists from throughout Nebraska and Colorado. Services include physical therapy, cardiac rehabilitation, diagnostic imaging, laboratory services, surgery, and emergency care.

Phillips County, Colorado

Phillips County provides additional healthcare options through Melissa Memorial Hospital in Holyoke and Haxtun Hospital, both offering comprehensive medical services to residents in the region.

Elder Care

Grant's elder care options include:

Westview Retirement Facility

Established in 1993 as a non-profit corporation, Westview offers independent living through comfortable apartments and duplexes designed for older adults. Services include housekeeping, dining options, maintenance, laundry assistance, social activities, and local transportation.

Park Ridge Assisted Living

Connected to Perkins County Hospital, Park Ridge provides assisted living services for residents needing additional support while maintaining independence.

In Imperial, residents can access Imperial Heights Retirement Center offering apartment living with supportive services, and Imperial Manor, a 72-bed skilled nursing facility with 24-hour care.

Western Sky Community Care Center

Western Sky Community Care Center, 351 West 10th Street, Grant, NE 69140, telephone (308) 352-2575. Western Sky Community Care Center (WSCCC) is a nonprofit, skilled nursing home. The facility is licensed for forty-four (44) nursing home beds. The WSCCC project was funded by the United States Department of Agriculture (USDA) Community Facilities Direct Loan Program. They provided $13.9 million over forty (40) years in funding for new construction. Design-build construction for the facility began on April 23, 2025, with the first full-time resident (Ina Thompson) admitted in the first week of April 2026. The facility was constructed on time and under budget. When fully operational, the facility will employ approximately forty-five (45) employees.

Regional Medical Facilities

For specialized care beyond local capabilities, residents can access major medical centers in:

- Denver, Colorado
- Scottsbluff, Nebraska
- North Platte, Nebraska
- Kearney, Nebraska

These regional facilities are accessible by ground transportation or short flights from local airports, ensuring residents have access to the full spectrum of contemporary healthcare services.

Energy Element

Introduction

The policy direction in this Energy Element should be read together with the Perkins County Zoning Regulations, which establish the regulatory standards for battery energy storage systems, solar energy systems, wind energy systems, and certain technology-related facilities. The Comprehensive Plan provides the broader policy framework; the zoning regulations provide the enforceable siting and performance standards.

Energy powers the heartbeat of Perkins County. From illuminating our homes and businesses to fueling our transportation networks and powering our agricultural operations, energy's critical role in our daily lives continues to evolve in innovative and sustainable ways. The transition to more diverse energy sources represents one of the defining challenges and opportunities of our era.

In the mid-2020s, energy use, reliability, cost, and environmental impact remain at the forefront of local, state, and national discussions. Our understanding of energy's role has matured significantly in the decades since the original Perkins County Comprehensive Development Plan was developed. Energy consumption patterns now encompass a variety of essential functions:

- Powering and heating homes and businesses
- Water heating for residential and commercial needs
- Food preparation and preservation
- Transportation – both personal and commercial
- Agricultural operations and irrigation
- Digital infrastructure and communications
- Recreation and entertainment – from electric vehicles to digital media

The growing awareness of energy's environmental footprint has spurred increased interest in reducing carbon emissions and developing more sustainable practices. This shift has led to evolving behavior patterns focused on minimizing environmental impact while maximizing efficiency. The concept of sustainability has moved from abstract theoretical discussions to practical implementation in communities across Nebraska, including Perkins County.

Energy policies and infrastructure decisions made today will impact Perkins County's economic vitality, environmental health, and quality of life for generations. The Energy Element of this Comprehensive Development Plan serves as a strategic roadmap for navigating the complex energy landscape, building on previous planning efforts while incorporating cutting-edge developments in renewable resources, energy conservation, and technological innovation.

Perkins County supports a measured, carefully managed approach to higher-intensity energy development, with specific utility-scale siting, notice, and performance standards governed by the zoning regulations. As adopted in the zoning ordinance, utility-scale wind energy systems are prohibited, while utility-scale solar energy systems and utility-scale battery energy storage systems are subject to tightly limited countywide authorization and location standards.

SUSTAINABILITY

Sustainability represents a cornerstone principle in modern energy planning. The Brundtland Commission's definition of sustainability as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" remains as relevant today as when it was formulated in 1987. For Perkins County, sustainability means creating energy systems that provide reliable, affordable power while preserving natural resources and environmental quality.

Nebraska's electric generation mix continues to evolve. According to Nebraska Department of Water, Energy, and Environment data for 2024, renewable sources accounted for about 35.9 percent of the state's net electricity generation, led primarily by wind, with smaller contributions from hydroelectric, solar, and biomass resources.

Federal and state policies continue to promote the transition to renewable energy sources. The goal of generating 20% of U.S. electricity from renewable sources by 2030 established earlier has evolved into more ambitious targets. Many states, utilities, and corporations have now committed to net-zero carbon emissions by 2050, with interim goals for substantial reductions in fossil fuel consumption.

COUNTY RESOURCES

Wind Energy

Perkins County benefits from Nebraska's strong wind energy potential. Statewide data indicate that wind remains Nebraska's largest renewable generation source, and the state's installed wind fleet exceeded 3,500 megawatts by 2024. This broader statewide context suggests that western Nebraska, including Perkins County, may remain an area of interest for future wind energy investment where transmission access, land use compatibility, and local policy support align.

Solar Energy

Western Nebraska boasts exceptional solar resources, and while solar energy contributed only about 1% of the state's renewable generation in 2023, solar-powered generation has nearly doubled since 2020. Perkins County has already joined this solar movement, with a 96-kilowatt community solar project operational in Venango since 2017.

According to the National Renewable Energy Laboratory (NREL), Nebraska ranks thirteenth in the nation for solar energy potential, indicating significant opportunities for expansion in this sector.

Natural Gas

Perkins County maintains natural gas reserves in the south-central region of the county. While Noble Gas began mining these reserves in 2008, operations were temporarily scaled back due to market conditions. These resources remain a valuable asset that could be developed further as energy market dynamics evolve.

Two major natural gas pipelines traverse Perkins County:

1. The Trailblazer Pipeline: This 436-mile system traverses from northeast Colorado to Beatrice, Nebraska, now operated by Tallgrass Energy Partners, LP (acquired from Kinder Morgan in 2012).
2. The Rockies Express Pipeline: This 1,679-mile pipeline stretches from northwestern Colorado to eastern Ohio with a capacity of 1.8 billion cubic feet per day, operated by Tallgrass Energy Partners, LP.

Notably, the Trailblazer Conversion Project has converted 392 miles of the former Trailblazer natural gas pipeline to carry CO_2 captured from ethanol plants, with operations commencing in September 2025. This pipeline directly serves the Madrid ethanol plant and represents an important development for Perkins County's agricultural economy and carbon management efforts.

Petroleum and Biofuels

Mid America Agri Products/Wheatland, LLC (now fully owned by Vitol Inc. as of January 16, 2026) continues to operate its ethanol plant in Madrid, which has been in operation since 2007. The facility produces approximately 48 million gallons of low-carbon ethanol annually, along with valuable co-products like distillers' grains for animal feed. In a significant development, the EPA has approved Mid America Agri Products/Wheatland LLC's registration to produce cellulosic ethanol at this facility using Edeniq's Pathway technology, expanding its capabilities into advanced biofuels.

Since beginning operations, the Madrid plant has purchased more than 200 million bushels of corn and sold 570 million gallons of ethanol, making it a cornerstone of the local agricultural economy.

Nebraska remains the second-largest ethanol producing state in the nation behind only Iowa, with 24 operating ethanol plants contributing significantly to the state's economy.

ENERGY INFRASTRUCTURE

Electrical Power

Electrical power in Perkins County continues to be supplied by several entities, maintaining a diverse and reliable energy infrastructure. Key providers include:

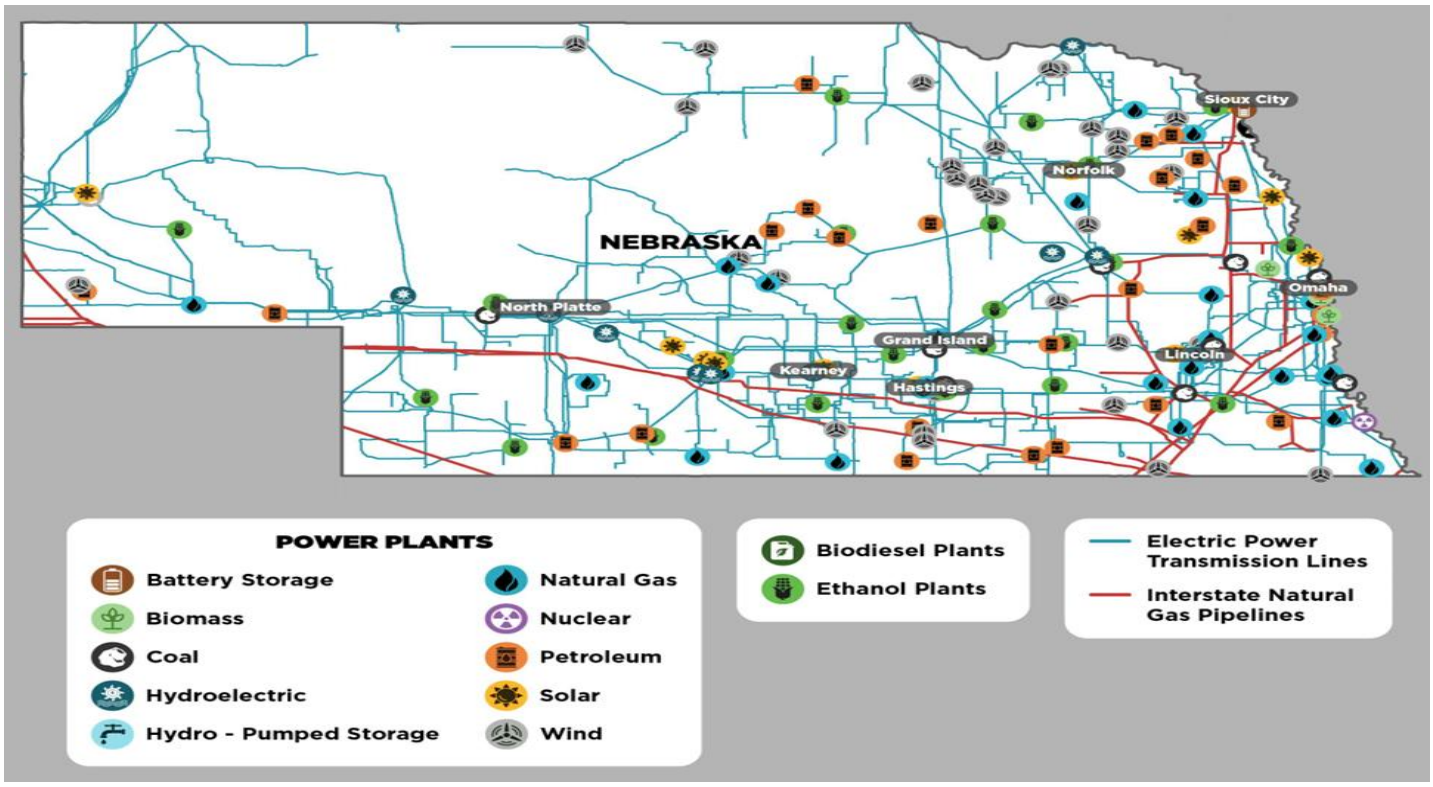
1. Midwest Electric Cooperative Corporation: Based in Grant, Nebraska at 104 Washington Avenue, Midwest Electric serves as a primary power provider for the region. As a Touchstone Energy cooperative, Midwest Electric is dedicated to providing reliable, competitively priced electricity while maintaining sound financial management and adhering to cooperative principles.
2. Municipal Energy Agency of Nebraska (MEAN): This agency serves as the wholesale electricity supplier for the City of Grant, providing power to municipal residents and business. MEAN is a coalition of Nebraska municipalities that work together to collectively generate and purchase power, creating economies of scale that benefit member communities.
3. High Line Electric Association: Based in Holyoke, Colorado, this association serves portions of Perkins County, particularly in western areas.
4. Nebraska Public Power District (NPPD): NPPD continues to operate the Gerald Gentleman Power Plant facilities at Sutherland and supplies power to Madrid (including the ethanol plant), Elsie, and Venango.

Midwest Electric and High Line Electric operate as Touchstone Energy Cooperatives, partnering with regional generation and transmission entities such as Basin Electric Power Cooperative and Tri-State.

The Municipal Energy Agency of Nebraska (MEAN) functions differently as a coalition of Nebraska municipalities that collectively purchase and generate power for member communities including Grant.

Meanwhile, NPPD maintains its own generation facilities, including the Gerald Gentleman Power Plant in Sutherland, and provides direct service to several communities in the county.

This diverse energy infrastructure combines the strengths of cooperative, municipal, and public power models to ensure reliable electrical service throughout Perkins County, with each entity increasingly incorporating renewable energy sources into their generation portfolios.



Electrical Distribution

The overall electrical distribution system serving Perkins County has been well-maintained and continues to provide reliable service to residents, businesses, and agricultural operations. This infrastructure forms the foundation for power that is transmitted throughout the region.

Midwest Electric has implemented advanced load control systems that offer both demand management and remote metering capabilities. This technology is particularly valuable for managing irrigation loads, which represent a significant portion of the county's electrical demand.

Natural Gas Service

Natural gas supplies in Perkins County are primarily controlled by Black Hills Energy. The system provides reliable service to municipal areas within the county.

ENERGY USE BY SECTOR

Residential Uses

Residential energy consumption in Perkins County encompasses a variety of sources for power, heating, and cooling. Electricity from both conventional and renewable sources remains the dominant energy type, with natural gas serving as the primary heating fuel in communities where infrastructure exists.

Rural residents often rely on propane, heating oil, or wood-burning systems for seasonal heating needs. The specific mix of energy sources varies based on location, with homes in municipal areas more likely to have access to natural gas infrastructure.

Energy-efficient home designs, improved insulation, and ENERGY STAR appliances have gained significant traction among Perkins County residents, reducing household energy consumption despite increasing electrification.

Commercial Uses

Commercial energy use follows similar patterns to residential consumption, with electricity serving as the primary power source and natural gas as the predominant heating fuel where available. The specific energy profile of commercial buildings varies significantly based on their function, location, and age.

Newer commercial facilities in Perkins County increasingly incorporate energy-efficient designs, improved insulation, and high-efficiency HVAC systems. Some businesses have installed rooftop solar arrays or participate in community solar programs to offset their electricity costs.

Industrial Uses

Industrial energy consumption in Perkins County is centered around agricultural processing, manufacturing, and the ethanol production facility in Madrid. These operations typically rely on a combination of electricity and natural gas, with some specialized applications using diesel generators for backup power or specific processes.

The Mid America Bio Energy facility in Madrid represents the county's largest industrial energy consumer. The company has focused on implementing innovative approaches to its production process to enhance energy efficiency while increasing the value of their products.

Agricultural Uses

Agriculture remains a cornerstone of Perkins County's economy and represents a significant portion of its energy consumption. Diesel fuel continues to be the primary energy source for field operations, while irrigation systems predominantly use electricity.

Irrigation represents such a significant portion of electric demand that Midwest Electric experiences peak electrical use during summer irrigation seasons. The cooperative employs extensive load control technology to manage peak electrical demand, reducing costs for both the utility and irrigators.

Indirect energy consumption through fertilizers and agrochemicals also represents a substantial energy investment in agricultural operations. Energy-efficient irrigation systems, precision agriculture technologies, and conservation practices are helping to reduce overall energy intensity in this sector.

SHORT-TERM AND LONG-TERM STRATEGIES

As energy conservation requirements and opportunities continue to evolve, Perkins County residents, businesses, and institutions will need to:

1. Adopt increasingly conservative energy usage practices
2. Leverage existing and future programs for retrofitting buildings and operations
3. Gradually transition to renewable energy sources where feasible

Residential Strategies

Improving residential energy efficiency represents one of the most accessible approaches to reducing energy consumption. Strategies range from simple, low-cost changes to more comprehensive renovations:

Immediate/Low-Cost Strategies:

- Converting all lighting to LED bulbs
- Installing smart thermostats and power management systems
- Adding weatherstripping and improving insulation in attics
- Implementing energy-efficient behaviors and practices
- Utilizing smart power strips and energy monitors
- Regular maintenance of heating and cooling systems

Medium-Term/Moderate-Cost Strategies:

- Upgrading to high-efficiency HVAC systems
- Replacing older appliances with ENERGY STAR-certified models
- Installing high-efficiency windows and doors
- Adding ceiling fans to improve air circulation
- Improving ductwork and sealing air leaks

Long-Term/Higher-Cost Strategies:

- Comprehensive insulation upgrades in walls, foundations, and attics
- Installation of residential solar photovoltaic systems
- Small-scale wind energy conversion systems where appropriate
- Ground-source heat pump installation
- Building envelope improvements including energy-efficient siding and roofing
- Transitioning to all-electric homes powered by renewable energy

Commercial and Industrial Strategies

Energy efficiency improvements in commercial and industrial facilities typically require larger investments but can yield substantial returns through reduced operating costs:

Immediate/Low-Cost Strategies:

- Converting all lighting to LED systems with occupancy sensors
- Implementing programmable thermostats and building management systems
- Conducting energy audits to identify efficiency opportunities
- Employee education on energy conservation practices
- Regular maintenance of equipment and HVAC systems
- Optimizing operating schedules to reduce peak demand charges

Medium-Term/Moderate-Cost Strategies:

- Upgrading to high-efficiency HVAC systems
- Installing energy recovery ventilation systems
- Implementing variable frequency drives on motors and pumps
- Improving building envelope with weather-stripping and sealing
- Upgrading to energy-efficient equipment and appliances

Long-Term/Higher-Cost Strategies:

- Comprehensive building retrofits for improved thermal performance
- Installation of commercial-scale solar photovoltaic systems
- Combined heat and power systems for appropriate applications
- Ground-source heat pump systems for heating and cooling
- Advanced building automation systems
- Major equipment upgrades or replacement with high-efficiency alternatives
- Green building certification (LEED, ENERGY STAR, etc.)

Agricultural Strategies

Agricultural operations offer unique opportunities for energy conservation and renewable energy integration:

- Implementing reduced tillage and precision agriculture practices
- Upgrading to high-efficiency irrigation systems with variable frequency drives
- Utilizing GPS and automation technologies to optimize field operations
- Converting grain drying and handling systems to high-efficiency models
- Exploring on-farm renewable energy generation through solar, wind, or biogas
- Adopting regenerative agriculture practices that reduce input requirements
- Participating in carbon sequestration and credit programs

RENEWABLE ENERGY SOURCES

Renewable energy sources represent a growing component of Perkins County's energy landscape. These natural resources – including wind, solar, biomass, and geothermal energy – can be utilized repeatedly with minimal depletion, offering sustainable alternatives to conventional fossil fuel.

Perkins County supports a measured, carefully managed approach to higher-intensity energy development, with specific utility-scale siting, notice, and performance standards governed by the zoning regulations. As adopted in the zoning ordinance, utility-scale wind energy systems are prohibited, while utility-scale solar and utility-scale battery storage are subject to tightly limited countywide authorization and location standards.

Wind

Wind energy remains Nebraska's dominant renewable electricity resource. Nebraska Department of Water, Energy, and Environment data for 2024 show that wind provided 31.94 percent of the state's total net generation and the great majority of generation produced from renewable sources.

While most of Nebraska's wind farms are currently located in eastern portions of the state, the western regions, including Perkins County, offer excellent potential for future development. Wind energy systems can range from small-scale residential turbines to utility-scale wind farms, providing flexibility for various applications and investment levels.

Solar

Solar energy remains a smaller but growing part of Nebraska's generation mix. Nebraska Department of Water, Energy, and Environment data for 2024 show that solar accounted for approximately 0.53 percent of the state's net electricity generation, while customer-sited and utility-scale installations continue to expand from a comparatively small base.

Perkins County has already joined the solar movement with a 96-kilowatt community solar project in Venango that came online in 2017. This installation demonstrates the viability of solar energy in the county and provides a model for future development.

Modern solar technology offers significantly improved efficiency and aesthetics compared to earlier generations. Both residential-scale installations and larger community solar projects represent viable options for expanding renewable energy capacity in Perkins County. Midwest Electric is adding several small solar projects with battery storage to help stabilize electric rates for cooperative members into the future. Additionally, the solar developer Lightsource bp received conditional use approval from the Perkins County Board of Commissioners on January 20, 2026, by a 2–1 vote, for its Golden Plains Solar and Storage project – a solar farm encompassing approximately 1,000 acres southeast of Grant with a generating capacity of up to 125 MW DC, including battery storage. As a dual-use facility, it will incorporate sheep grazing and honey production within the solar farm acreage, demonstrating compatibility between utility-scale solar and continued agricultural production. Under the terms of the conditional use permit, Lightsource bp has three years from the approval date to begin development and four years to complete it. The total project represents a private investment of approximately $350 million. The peak output of this proposed facility will approach Midwest Electric's irrigation peak demand, representing a significant milestone in the county's renewable energy development.

Geothermal

Geothermal energy utilizes the earth's constant temperature to provide highly efficient heating and cooling through ground-source heat pumps. While Nebraska lacks the high-temperature geothermal resources needed for electrical generation, ground-source heat pumps have proven highly effective for residential and commercial applications throughout the state.

These systems circulate a conductive fluid through underground pipes, exchanging heat with the constant-temperature soil to provide efficient heating in winter and cooling in summer. While the initial investment in geothermal systems is higher than conventional HVAC equipment, substantial energy savings and longer equipment life offer attractive long-term economics.

Methane/Biogas

Methane capture and utilization represents an innovative approach to energy generation from waste materials. Sources include agricultural operations, wastewater treatment facilities, and landfills where organic decomposition naturally produces methane.

Instead of allowing methane – a potent greenhouse gas – to escape into the atmosphere, it can be captured and converted to electricity or used directly as a heating fuel. While Perkins County currently has limited infrastructure for methane capture, agricultural operations and waste management facilities may offer future opportunities in this area.

CURRENT RENEWABLE ENERGY PROGRAMS AND FUNDING SOURCES

NET METERING IN NEBRASKA

Net metering provisions established under LB 436 in 2009 continue to provide a framework for integrating small-scale renewable energy systems into the grid. These rules apply to renewable electricity generating facilities using solar, methane, wind, biomass, hydropower, or geothermal energy with rated capacity at or below 25 kilowatts.

Under these provisions, electricity produced by qualifying renewable energy systems offsets consumption at the premises during the same month. Any excess generation is credited at the utility's avoided cost rate and carried forward to subsequent billing periods, with any remaining excess paid out at the end of an annualized period.

Customers retain all renewable energy credits associated with their generation, and utilities are required to offer net metering until the aggregate capacity of all customer-generators equals one percent of the utility's average monthly peak demand.

STATE LAW OF SOLAR AND WIND EASEMENTS

Nebraska's solar and wind easement provisions enable property owners to establish binding solar and wind easements to protect and maintain access to sunlight and wind resources. Originally designed for solar applications, these laws were expanded in 1997 to include wind resources.

Counties and municipalities may develop zoning regulations that protect access to solar and wind energy resources, and local governing bodies can grant zoning variances to accommodate renewable energy systems that might otherwise be restricted under existing regulations.

Revisions enacted in 2009 established that the initial term of a wind agreement may not exceed forty years, and such agreements terminate if development has not commenced within ten years of the effective date unless all parties agree to an extension.

UTILITY INCENTIVE PROGRAMS

Electric utilities serving Perkins County offer various incentives for energy efficiency and renewable energy adoption:

1. Heat Pump Rebates: Both High Line Electric Association and Midwest Electric Cooperative provide rebates for energy-efficient heat pump installations in residential and commercial applications.
2. ENERGY STAR Appliance Rebates: Incentives for purchasing energy-efficient refrigerators, freezers, and other appliances help reduce electrical consumption.
3. Cooling System Tune-Up Programs: Rebates for professional maintenance of cooling systems improve efficiency and extend equipment life.
4. Appliance Recycling Incentives: Programs encouraging the replacement and proper recycling of older, inefficient appliances help accelerate the transition to more efficient models.

LOW INTEREST LOAN PROGRAM

The Nebraska Energy Office continues to administer low-interest loan programs for residential and commercial energy efficiency improvements. Created in 1990 using oil overcharge funds, these programs focus on upgrades to existing buildings that are at least 5 years old.

The USDA's Rural Energy for America Program (REAP) provides funding for renewable energy and energy efficiency projects in rural areas. As recently as 2015, Mid America Agri Products/Wheatland LLC in Madrid received $500,000 through this program to install a Cellunator system that increased ethanol production by 1.4 million gallons. Similar funding opportunities continue to be available for agricultural operations, rural businesses, and renewable energy projects.

LOCAL GOVERNMENT AND RENEWABLE ENERGY POLICIES

Local governments play a crucial role in facilitating renewable energy adoption through supportive policies and regulations. Perkins County and its municipalities can implement several measures to encourage renewable energy development:

1. Develop or amend zoning regulations to permit small-scale wind turbines and solar installations as accessory uses in all districts
2. Create streamlined permitting processes for renewable energy systems with clear guidelines and reasonable fee structures
3. Exempt small-scale renewable energy systems from certain height restrictions and setback requirements when appropriate
4. Establish solar and wind access protections through local ordinances
5. Incorporate renewable energy and energy efficiency standards into building codes
6. Leverage public facilities for demonstration projects using renewable energy technologies
7. Partner with local utilities to develop community renewable energy projects that allow broader participation
8. Provide educational resources about renewable energy options and incentives to residents and businesses
9. Explore public-private partnerships for larger-scale renewable energy development

CONCLUSION

Energy considerations will continue to play a pivotal role in shaping Perkins County's future development patterns, economic opportunities, and environmental quality. By embracing energy conservation, efficiency improvements, and renewable energy development, the county can reduce long-term costs, enhance resilience, and contribute to broader sustainability goals.

The strategies outlined in this Energy Element provide a framework for thoughtful decision-making that balances immediate needs with long-term vision. Through collaborative efforts among residents, businesses, agricultural producers, utilities, and local government, Perkins County can create an energy future that supports prosperity while preserving resources for generations to come.

GOALS/OBJECTIVES & POLICIES

Introduction

Our community's story doesn't unfold by chance – it's written through intentional, thoughtful planning. For Perkins County, strategic planning represents our ongoing journey of setting ambitious goals and solving complex challenges to create vibrant communities and an enhanced quality of life for all who call our rolling plains home. This process is fundamentally about shaping a future that honors our prairie heritage while embracing the innovation and opportunity that will sustain us for generations to come.

When we envision Perkins County's future, we see more than land and buildings – we see families gathering at the Grant City Park, farmers carefully stewarding our precious soil and water resources, local businesses thriving along our historic main streets, and new faces joining our close-knit communities. The planning process allows us to evaluate where we stand today and build consensus on how we'll shape tomorrow. Rather than merely responding to changes after they arrive, we can proactively guide development in ways that strengthen what makes Perkins County special.

The goals and objectives outlined here transform our collective hopes into actionable guidance. They provide a compass for decision-makers when evaluating zoning changes, infrastructure investments, and community initiatives. They answer vital questions about what makes development beneficial for our county and how we can manage change to create the greatest good for all residents – from the fourth-generation farmer to the young family just putting down roots.

Understanding Goals and Objectives

Goals represent our highest aspirations – what we collectively seek to achieve as a county. They provide the vision that guides our policies and serve as benchmarks against which we measure progress. When we say we want to "foster a diverse, resilient economy," we're setting a north star that orients all our economic development efforts.

Objectives are the specific, measurable actions we'll undertake to achieve these broader goals. They include concrete steps with realistic timeframes, assigning responsibility to specific individuals or governing bodies. When we commit to "implement a regular housing inventory process with comprehensive assessment every five years," we are creating accountability and clarity about how we'll address our housing challenges.

These goals and objectives were not created in isolation. They emerged from extensive community engagement, including county-wide surveys, analysis of our strengths and challenges, and valuable input from residents, the Planning Commission, and the Board of Commissioners. They represent not just professional planning principles, but the authentic voice of Perkins County's 2,858 residents.

VISION STATEMENT

"Perkins County will build upon the traditions of our agricultural heritage while embracing a progressive future that honors our past and creates new opportunities. We will guide growth in a manner that cultivates a thriving economic landscape, preserves our exceptional rural quality of life, protects our precious natural resources, and strengthens the community bonds that make our small towns such special places to call home."

Through thoughtful application of zoning regulations, rigorous site plan review, and diligent land use oversight, we will strategically guide development to the most suitable locations. This approach will protect our agricultural foundation – which encompasses an impressive 99.5% of our county's land area – while creating space for new homes, businesses, and community amenities that enhance our quality of life.

POPULATION

Goal

Promote Perkins County to former residents, remote workers, and new households by highlighting available housing, broadband service, community amenities, and local quality-of-life advantages. Population recruitment and retention efforts should be paired with realistic monitoring of actual demographic change over time.

Objectives

1. Develop targeted retention and attraction initiatives that showcase our exceptional quality of life, career opportunities, and affordability through strategic marketing campaigns and incentive programs. With our population having stabilized after decades of decline, we have momentum to build upon as we work toward modest growth.
2. Forge strong partnerships with local businesses, educational institutions, and regional economic development organizations to expand employment opportunities that will retain young talent and attract working-age families. Our diverse economy currently employs approximately 1,450 people across agriculture (19.1%), healthcare (13.1%), and other sectors, providing a strong foundation for future growth.
3. Create a comprehensive demographic strategy that addresses our need for a larger middle-aged population to provide the economic foundation that supports both youth and senior services. Our demographic analysis shows promising signs of stability with modest increases in the 25-29, 30-34, and 35-44 age groups since 2010, suggesting younger families are choosing to make Perkins County home.
4. Enhance the "Come Home to Perkins County" initiative targeting former residents and newcomers with remote work capabilities, highlighting our high-speed internet infrastructure, quality of life, and affordability compared to urban centers. This initiative has already shown success, contributing to our modest population growth since 2020.
5. Implement a youth engagement program in partnership with Perkins County Schools that connects students with local career opportunities, entrepreneurship possibilities, and pathways for returning after higher education. With our school enrollment having increased by 7% since 2020, we have a growing foundation of young people to engage.

LAND USE

Goal

Perkins County will develop and implement land use and zoning regulations that honor our agricultural heritage, protect our prime farmland and natural resources, and guide future development in a manner that strengthens our communities while preserving our rural character.

Implementation of these land use objectives shall occur through the Perkins County Zoning Regulations, including the AG-1 Agricultural District, AG-2 Agricultural-Residential District, RR Rural Residential District, AP Airport Protection Overlay District, FP Floodplain Overlay District, and the Preferred Development Corridor policy framework. Land use decisions should remain consistent with both this Comprehensive Plan and the adopted zoning regulations

Objectives

1. Foster collaborative planning relationships with the City of Grant and the villages of Madrid, Elsie, and Venango to address common land use interests, particularly in growth areas and infrastructure development zones. With Grant growing by 2.75% between 2010 and 2020, coordinated planning is essential for sustainable development.
2. Enhance the proactive consultative process with the Planning Commission and relevant agencies to ensure informed decision-making on land use designations and approvals, integrating the latest data and community input.
3. Implement environmentally sensitive regulations that respect our unique soil types, groundwater resources, watershed areas, and air quality, using the latest geospatial data to guide development decisions. With 99.5% of our 884 square miles dedicated to agricultural use, careful stewardship of these resources is vital to our economic future.
4. Strengthen interjurisdictional planning coordination with municipalities on Extra Territorial Jurisdiction issues, emphasizing boundary alignment and cooperative ventures that benefit all jurisdictions and residents.
5. Support appropriately located commercial, industrial, energy, and technology-related development in areas where transportation access, infrastructure capacity, and surrounding land uses can accommodate those activities without undermining agricultural production, environmental stewardship, or residential quality of life.

Agricultural Land Use Objectives

1. Preserve and enhance our agricultural foundation through policies that simultaneously protect agricultural land, safeguard groundwater quality and quantity, and support agricultural production as our primary economic driver. With net cash farm related income reaching $64.8 million in 2022, agriculture remains the cornerstone of our economy.
2. Create a supportive regulatory environment for livestock production and related agricultural businesses while ensuring operations are designed and located in ways that maintain community health, safety, and welfare. Our county has seen a 9.2% increase in cattle numbers despite fewer operations, demonstrating the industry's evolution.
3. Establish transparent, science-based regulations for large, confined livestock operations that ensure proper construction, management, and compatible location while protecting natural resources and neighboring properties.

4. Maintain ongoing dialogue with agricultural producers, residents, and environmental specialists to continuously evaluate and refine regulations based on emerging best practices and technologies that support our farming community.
5. Promote innovative waste management approaches for livestock operations, including aerobic composting and solid waste handling systems, while encouraging containerized rather than earthen anaerobic lagoons for methane production.
6. Implement appropriate separation requirements between large, confined livestock operations and residences to minimize conflicts while supporting agricultural growth that sustains our county's economic base.
7. Partner with agricultural education institutions to develop robust farm business succession planning resources that facilitate successful intergenerational transfers, ensuring the continuity of family farm operations that have defined our landscape for generations.
8. Foster the development of value-added agricultural enterprises that are compatible with surrounding land uses and enhance the economic resilience of our agricultural sector, building on successes like our ethanol plant in Madrid.

Residential Land Use Objectives

1. Guide residential development toward appropriate locations in and around incorporated communities to prevent agricultural/non-agricultural conflicts while providing appropriate size options. This strategy will support the promising growth we've seen in Grant (2.75%) and Madrid (4.76%) between 2010 and 2020.
2. Establish density regulations in agricultural districts that maintain our rural character while accommodating limited non-farm residential development with appropriate buffers between residential and agricultural uses.
3. Implement balanced residential development regulations that include appropriate density per section and lot size requirements based on soil conditions, infrastructure availability, and surrounding land uses to support sustainable growth.
4. Base development decisions on comprehensive soil analysis, floodplain mapping, and infrastructure capacity to ensure new residential areas have adequate physical support systems and pose minimal environmental risk, protecting both new residents and existing communities.
5. Adopt regulations that restrict development on roads with limited maintenance capabilities to ensure all residents have safe, reliable access to their properties throughout the year in our sometimes-challenging prairie weather conditions.
6. Create and distribute educational materials like "Considerations for Rural Living" to help new residents understand agricultural practices, rural service limitations, and the responsibilities that come with country living in Perkins County.

ENVIRONMENT

Goal

Perkins County will protect and responsibly manage our natural resources – soils, groundwater, surface water, and air – to ensure long-term quality, availability, and sustainability for current and future generations. Our development will be guided in ways that conserve these precious resources, minimize conflicts, promote compatible land uses, and ensure efficient provision of services.

Objectives

1. Establish science-based zoning standards that support conservation efforts and protect our natural resources and prime agricultural lands through evidence-based development criteria that reflect our commitment to environmental stewardship.
2. Implement comprehensive water resource protection measures that safeguard all water supplies and aquifers from potentially harmful development activities. With our agricultural production increasingly dependent on irrigation from our 866 wells supporting 115,000 acres of cropland, water protection is essential to our future.
3. Collaborate with soil conservation experts to develop targeted sediment control and rainfall management regulations that address soil loss and contamination risks from irrigation practices in vulnerable areas of the county.
4. Preserve natural rangeland and farmland ecosystems for their agricultural productivity, wildlife habitat, carbon sequestration benefits, and recreational value through voluntary conservation programs and development incentives.
5. Develop and enforce air quality standards that maintain our clean air resources while accommodating responsible industrial and agricultural growth that supports our economy.
6. Restrict development in flood hazard areas and wetlands to protect both human safety and environmental resources, using updated floodplain mapping and climate projection data to inform long-range planning.
7. Conduct regular assessments of our regional landfill to evaluate environmental performance, economic viability, and future capacity needs, with special attention to monitoring well data to safeguard groundwater quality.
8. Establish a comprehensive monitoring program for large livestock operations to ensure compliance with environmental standards and early detection of potential issues, protecting both the agricultural economy and public health.
9. Develop a county-wide climate resilience strategy that identifies vulnerabilities and implements adaptation measures to protect agricultural productivity, infrastructure, and natural resources from changing climate conditions in our sub-humid environment. This strategy shall include provisions for wildfire precautions and public alerts, particularly during periods of dry and low-humidity conditions that increase fire risk across the county's grasslands and rangeland.

EDUCATION

Goal

Perkins County recognizes quality education as a cornerstone of community vitality. While the county's direct role in education is limited, we will support policies that strengthen our countywide school system and promote lifelong learning opportunities from early childhood through adulthood. Our community thrives when education thrives.

Objectives

1. Foster collaborative relationships with school districts to maximize community utilization of educational facilities for enrichment programs, community gatherings, and intergenerational activities. With Perkins County Schools serving 419 students with a favorable 12:1 student-teacher ratio, our educational infrastructure provides an excellent foundation for expanded community use.

2. Transform schools into community learning centers serving diverse age groups through extended programming, specialized courses, and resource sharing with county departments and community organizations to maximize our educational investments.
3. Expand access to higher education opportunities by supporting remote delivery of college-level courses, business development training, and professional certification programs in partnership with Mid Plains Community College and other regional institutions, bringing advanced education closer to home.
4. Invest in technological infrastructure that enhances educational connectivity, enabling students and adult learners to access global learning resources and participate in distance education programs without leaving our community.
5. Support workforce development initiatives that align educational offerings with emerging employment opportunities and economic development goals, creating clear pathways from education to local careers in agriculture, healthcare, and other growth sectors.
6. Develop intergenerational mentoring programs that connect students with experienced professionals and retirees to transfer knowledge, build relationships, and strengthen community bonds across our diverse age groups.
7. Nurture second language education for adults – particularly English-language programs for immigrant residents and Spanish-language instruction for EMTs, first responders, and other emergency personnel – to strengthen community safety, inclusion, and quality of care

PARKS AND RECREATION

Goal

Perkins County will develop, maintain, and enhance a diverse array of recreational opportunities that serve all age groups, promote healthy lifestyles, build community connections, and contribute to our quality of life and economic vitality.

Objectives

1. Elevate recreation as an economic development driver by strategically investing in facilities and programs that attract visitors, enhance resident quality of life, and complement our natural and cultural assets like our beautiful city parks, sports facilities, and the Grant municipal golf course.
2. Develop a comprehensive parks and recreation master plan that identifies current resources, establishes maintenance standards, outlines expansion priorities, and creates a sustainable funding model for future growth that serves all our communities.
3. Enhance existing recreational assets including our swimming facilities, walking/biking paths, and multi-purpose recreation areas through strategic upgrades and community partnerships that maximize their value to residents.
4. Create an interconnected trail system that links communities, natural areas, and points of interest throughout the county, promoting active transportation and outdoor recreation opportunities for all ages.
5. Establish a county recreation coordination committee that facilitates collaboration between municipal recreation departments, school districts, private facilities, and volunteer organizations to maximize program offerings and resource efficiency.
6. Develop innovative programming that serves diverse age groups and interests, with special attention to youth activities, family events, senior recreation, and all-season options that accommodate our varied prairie weather.
7. Explore opportunities for nature-based recreation that showcase our unique landscapes and natural features while promoting environmental appreciation and conservation ethics among residents and visitors.

HOUSING

Goal

Perkins County will ensure the availability of safe, decent, and affordable housing for every family and individual. We will work to preserve and enhance our existing housing stock while encouraging strategic new construction in established communities to meet the needs of current and future residents.

Objectives

1. Implement a housing inventory process with comprehensive assessment every five years to identify properties that would benefit from renovation, rehabilitation, or adaptive reuse. With 66% of our 1,345 housing units built before 1980, strategic reinvestment in existing housing is essential.
2. Establish a targeted housing rehabilitation program that provides technical assistance and financial incentives for maintaining and improving existing housing stock, with special attention to energy efficiency, accessibility, and historic preservation of our community character.
3. Create a housing development strategy that encourages new construction across all price points and housing types, addressing gaps in the current market and accommodating diverse household needs as our population evolves.
4. Build strategic partnerships with housing professionals, financial institutions, non-profit organizations, and government agencies to expand affordable housing options, from first-time homebuyer assistance to rental support programs.
5. Update zoning standards to accommodate innovative housing models, varied density levels, and diverse housing types that meet the needs of residents across all income levels and physical capabilities, adapting to our changing household composition.
6. Strengthening code enforcement and housing standards to protect resident rights while ensuring properties are maintained in ways that preserve neighborhood quality and property values throughout our communities.
7. Develop workforce housing initiatives specifically aimed at attracting professionals who work in the county but currently reside elsewhere, potentially using revolving loan funds or employer partnerships to expand housing options that support economic growth.
8. Implement aging-in-place strategies that allow our older residents to remain in their communities through home modifications, supportive services, and appropriate housing alternatives. With 22.2% of our population now age 65 or older, these services are increasingly important.

ECONOMIC DEVELOPMENT

Goal

Perkins County will foster a diverse, resilient economy that balances the needs of retail, wholesale, agricultural, commercial, and manufacturing sectors to provide sustainable prosperity for current and future residents. We will support entrepreneurship, workforce development, and education that equips our citizens with the skills needed in a rapidly evolving economic landscape.

Objectives

1. Leverage our rich historical, cultural, and recreational assets to develop tourism initiatives that celebrate our heritage while creating economic opportunities for local businesses throughout the county.
2. Create youth retention and attraction initiatives that showcase career pathways, entrepreneurial opportunities, and quality of life advantages that make Perkins County an attractive place for young professionals to build their futures.
3. Support the development of digital infrastructure and remote work hubs that enable home-based businesses and telecommuting, connecting local talent to global opportunities while maintaining rural residency. Our fiber optic network with 100GB redundant statewide connectivity provides an excellent foundation.
4. Coordinate with state and federal broadband programs, including the BEAD Program, to close identified coverage gaps and support last-mile connectivity in rural Perkins County, prioritizing areas underserved based on current FCC and Nebraska Public Service Commission coverage maps.
5. Establish strategic economic development partnerships between local entities, regional organizations, and private companies to provide comprehensive support for business attraction, retention, and expansion efforts that strengthen our economic base.
6. Invest in human, financial, and social capital development through targeted programs that enhance business capabilities, leadership skills, and collaborative networks among area residents and organizations.
7. Partner with educational institutions to create workforce training programs that align with local employer needs, focusing on skills gaps and growth sectors identified through regular economic analysis of our changing economy.
8. Implement business succession planning resources to assist retiring business owners with transition strategies, ensuring vital community businesses continue operation under new ownership and maintain services for our residents. This objective is identified as a high priority. The Chamber of Commerce and the Community Foundation Fund are encouraged to partner on a formal, coordinated business succession program to address the significant near-term need as many long-standing local business owners approach retirement age.
9. Establish a micro-lending program specifically designed to support small business development, entrepreneurial ventures, and business ownership transitions, with streamlined application processes and technical assistance components.
10. Participate actively in regional economic development initiatives to leverage shared resources, expand market reach, and create economies of scale that benefit Perkins County businesses and residents.

TRANSPORTATION

Goal

Perkins County will develop, maintain, and strategically enhance a safe, efficient transportation system that supports economic development, connects communities, and maximizes the value of existing public infrastructure investments.

Objectives

1. Implement a strategic equipment and infrastructure modernization program that ensures county transportation assets meet current needs while adapting to evolving technologies and usage patterns that serve our 884 square miles efficiently.
2. Engage in regional transportation planning initiatives to coordinate across jurisdictional boundaries, leverage funding opportunities, and enhance connectivity throughout southwest Nebraska, strengthening our links to neighboring communities.
3. Protect the viability of the Grant Municipal Airport by implementing appropriate land use controls within its hazard area, preserving this vital transportation asset for economic development, medical services, and personal travel. With 800-1,000 annual operations, this facility serves our communities in diverse ways.
4. Coordinate transportation planning with comprehensive land use strategies to guide the location of intensive developments to areas with appropriate road infrastructure, ensuring sustainable development patterns.
5. Prioritize the improvement and hard-surfacing of high-traffic roads as identified in the County's One- and Six-Year Plan, using data-driven analysis to maximize the impact of limited resources for our rural transportation network.
6. Maintain productive working relationships with the Nebraska Department of Transportation to advocate for upgrades to state highways traversing Perkins County, including resurfacing and widening projects that enhance safety and capacity.
7. Explore innovative funding mechanisms and public-private partnerships to accelerate high-priority transportation improvements that support economic development initiatives throughout our communities.
8. Develop active transportation infrastructure that accommodates pedestrians, cyclists, and other non-motorized users, particularly in and around communities and key destinations, enhancing quality of life and health.

ENERGY

Goal

Perkins County will promote responsible energy resource development and conservation practices that enhance economic resilience, reduce environmental impacts, and provide reliable, affordable energy for all residents and businesses.

Energy-related land use decisions should be interpreted consistently with the County’s zoning regulations, including the standards for solar energy systems, battery energy storage systems, wind energy systems, and certain technology-related facilities.

Objectives

1. Partner with utility providers like Midwest Electric, High Line Electric, and NPPD to implement comprehensive energy audit programs that help residential, commercial, and agricultural customers identify conservation opportunities and reduce energy consumption.
2. Encourage participation in energy assessments through educational outreach, incentive programs, and demonstration projects that showcase the economic and environmental benefits of efficiency improvements in our diverse building stock.

3. Support renewable energy resources such as appropriately scaled solar, biofuels, and other technologies that complement our agricultural base while protecting prime agricultural land, infrastructure capacity, environmental resources, and neighboring properties. Our 96-kilowatt community solar project in Venango demonstrates the viability of locally appropriate renewable energy development in Perkins County.
4. Adopt energy-efficient building standards for new construction and major renovations of county facilities, demonstrating leadership in conservation while reducing long-term operational costs for taxpayers.
5. Implement land use policies that accommodate appropriate renewable energy development while protecting prime agricultural land, sensitive environmental areas, and residential quality of life, consistent with the County's zoning regulations and adopted utility-scale siting standards.
6. Explore community energy projects that allow broader participation in renewable energy benefits through cooperative models, shared facilities, or municipal partnerships that keep energy dollars in our local economy.
7. Support agricultural energy innovations including methane capture from livestock operations, on-farm renewable generation, and production of energy crops that provide additional income streams for agricultural producers, building on the success of our ethanol plant.
8. Establish an energy resilience strategy that addresses potential disruptions through distributed generation, backup systems, and coordination with utility providers for critical infrastructure and vulnerable populations, enhancing our community's self-reliance. Utility-scale and community-scale energy projects should be evaluated for their potential contribution to local resilience in a manner consistent with utility requirements, engineering feasibility, and the County's zoning regulations.
9. Support expansion of high-speed broadband access to all areas of Perkins County, coordinating with Great Plains Communications, NebraskaLink, and relevant federal programs including the Broadband Equity, Access, and Deployment (BEAD) Program administered through the Nebraska Public Service Commission. County broadband coverage at speeds sufficient for remote work and precision agriculture is essential for economic development, workforce retention, and agricultural competitiveness. As of 2021, only 45.6% of Perkins County residents had access to broadband at 100 Mbps via fiber or cable modem (Nebraska Counties Association, 2025 data). Closing this gap is a long-term planning priority directly linked to the county's Population, Economic Development, and Energy goals.

IMPLEMENTATION STRATEGY

The goals and objectives outlined in this plan represent our aspirations for Perkins County's future. Transforming these aspirations into reality requires dedicated effort, strategic resource allocation, and consistent monitoring of progress. The following implementation framework provides a roadmap for putting this plan into action:

1. Prioritize objectives based on urgency, impact, and resource requirements to create a logical sequence for implementation efforts that make the most of our community resources.
2. Assign specific responsibilities to appropriate departments, committees, or partner organizations to ensure accountability for moving initiatives forward.
3. Establish measurable benchmarks and timelines for each objective to track progress and maintain momentum toward our shared goals.
4. Identify funding sources and resource requirements for high-priority objectives, exploring grants, public-private partnerships, and innovative financing mechanisms to support implementation.

5. Create regular review and reporting mechanisms to assess implementation progress and make necessary adjustments as conditions evolve in our dynamic county.
6. Maintain ongoing community engagement to ensure implementation reflects evolving community priorities and builds broad-based support for our shared vision.
7. Celebrate and communicate achievements to maintain enthusiasm, recognize contributors, and demonstrate the plan's tangible benefits to all residents.

Through diligent implementation of these goals and objectives, Perkins County will build on its strengths, address its challenges, and create a future that honors its heritage while embracing new opportunities. This Comprehensive Plan serves not as an end point but as the beginning of a journey toward a more vibrant, sustainable, and prosperous Perkins County – a place we are proud to call home.

Environment, Natural And Man-made Resources

Introduction

Welcome to the heartbeat of Perkins County! To continue to chart our course forward, we must thoroughly understand the incredible tapestry of environmental and man-made conditions that make our county unique.

The land beneath our feet tells a story spanning millenniums, and understanding this story is crucial as we envision our tomorrow. This vital component of our Comprehensive Plan offers a vibrant portrait of our environmental and man-made conditions, identifying how these precious elements will shape our future. For clarity and ease of understanding, we've organized these evaluations into two main categories:

NATURAL ENVIRONMENTAL CONDITIONS

- Geology - Our foundation
- Soils - Our heritage
- Topography and drainage - Our landscape
- Flood protection - Our safety
- Water supply and quality - Our lifeblood
- Air quality - Our atmosphere

MAN-MADE CONDITIONS

- Past land development trends - Our history
- Transportation system impacts - Our connections

Geology

Perkins County proudly sits in the Central Plains section of the Great Plains physiographic region, forming part of Nebraska's majestic high tablelands. Beneath our fields and homes lies Pierre shale, extending throughout the entire county. While this shale doesn't yield water to wells, nature has blessed us with overlying deposits that do. In all but the southeastern portion, the White River Group's claystone, siltstone, siltstone, silty sand, and sand create an intermediate layer.

Most precious to our agricultural way of life is the Ogallala Group that covers the entire county with sands, gravels, and sandstone – forming our major aquifer. This is where most of our irrigation and domestic wells draw their life-giving water. Rounding out our geological profile are the Quaternary age unconsolidated deposits that range from 2 to 195 feet thick, containing limited water quantities in our south-central region.

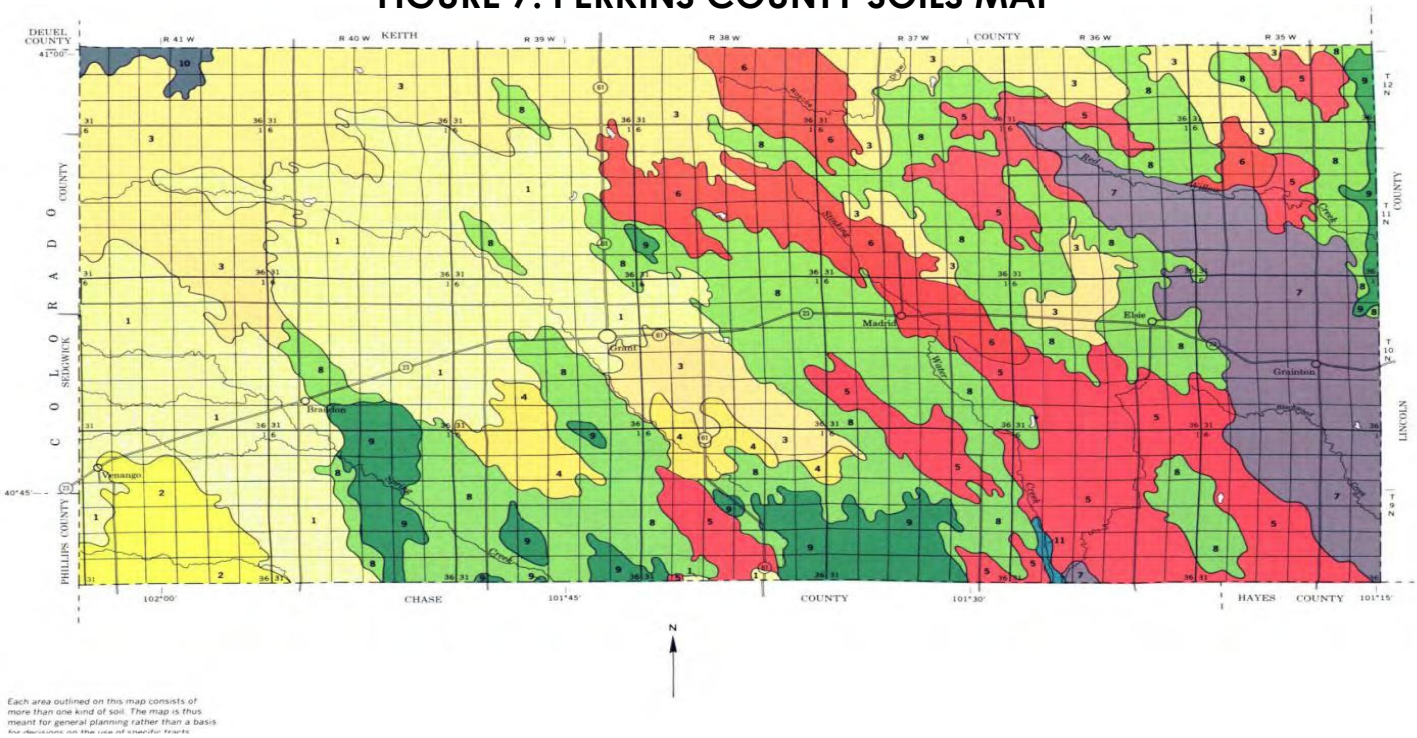
The implications of this geological foundation are profound. First, our abundant high-quality groundwater will continue to nourish our agricultural prosperity. However, we must acknowledge that the porosity and permeability of our sandy soils create a responsibility for careful stewardship – particularly regarding pesticides, herbicides, and animal waste management – to protect this precious resource for generations to come.

TABLE 21 – PRIME CROPLAND SOILS – PERKINS COUNTY, NEBRASKA:

SOIL ASSOCIATION	SOIL SYMBOL	SOIL NAME	ACREAGE
Mace – Kuma – Alliance	Ac, AcB	Alliance Silt Loam (0–3% slope)*	4,540
Altvan – Haxtun	AfB, AfC	Altvan Loam (1–6% slope)*	6,130
Mace – Kuma – Alliance / Rosebud – Kuma – Mace	AsB, AsC	Ascalon Fine Sandy Loam (1–6% slope)*	2,680
Satanta – Woodly – Sarben	CrB, CrC	Creighton Very Fine Sandy Loam (1–6% slope)*	2,770
Gibbon – Gannett Variant	Gf	Gibbon Silt Loam (0–2% slope)**	380
Altvan – Haxtun	HdB	Haxtun Fine Sandy Loam (0–3% slope)*	13,810
Valent – Woodly / Satanta – Woodly – Sarben	JcB, JcC	Jayem Fine Sandy Loam (0–6% slope)*	880
Keith – Kuma / Ulysses – Colby – Keith	KeB, KeC2	Keith Silt Loam (1–6% slope)*	29,870
Kuma – Satanta / Keith – Kuma	Ku, KuB	Kuma Silt Loam (0–3% slope)*	87,800
Mace – Kuma – Alliance / Rosebud – Kuma – Mace	Ma, MaB	Mace Silt Loam (0–3% slope)*	28,440
Ulysses – Colby – Keith	Mb	McCash Very Fine Sandy Loam (0–1% slope)*	1,580
Ulysses – Colby – Keith	MD	McCook Silt Loam (0–2% slope)*	2,970
Rosebud – Kuma – Mace	Rs, RsB	Rosebud Loam (0–3% slope)*	44,570
Kuma – Satanta / Satanta – Woodly – Sarben	Sb, SbB, SbC	Satanta Loam (0–6% slope)*	83,180
Ulysses – Colby – Keith	UsC2	Ulysses–Colby Silt Loam (3–6% slope)*	9,530
Valent – Woodly	VeB	Vetal Fine Sandy Loam (0–3% slope)*	3,600
Satanta – Woodly – Sarben	WpB	Woodly Fine Sandy Loam (0–3% slope)*	38,880
TOTAL			**361,610**

Soils

FIGURE 7: PERKINS COUNTY SOILS MAP



Each area outlined on this map consists of more than one kind of soil. The map is thus meant for general planning rather than a basis for decisions on the use of specific tracts.

SOIL LEGEND*

1 NEARLY LEVEL TO GENTLY SLOPING, LOAMY AND SILTY SOILS ON UPLANDS
- MOSHER-LIMA-KACE ASSOCIATION: Moderately deep, nearly level and very gently s oloping, well drained silty loess
- MORSE-KUMM-ALLIANCE ASSOCIATION: Moderately deep and deep, nearly level and very gently sloping, well-drained, silty soils formed in loess

2 ILAM-SATANTA ASSOCIATION: Deep, nelarly level to gently sloping, well-drained loamy and loamy fine sandy soils formed in loess and eolian sand over loess

3 ALTWAN-KUTIWA ASSOCIATION: Deep, gently sloping to steep, moderately well to poorly drianed sandy loam and loamy fine sandy soils formed in loess and eo]

4 NEARLY LEVEL TO STRONGLY SLOPING, SILTY, LOAMY, AND SANDY SOILS
- KEITH-TALLY-WOODLY-SARIBEN ASSOCIATION: Deep, nearly level to strongly sloping, well-drained, loamy and sandy soils formed in loess, eolian sand over loess and lo

5 VERY GENTLY SLOPING TO STRONGLY SLOPING, SILTY SOILS ON UPLANDS
- KEITH-KILMAR ASSOCIATION: Deep, nearly level to gently sloping, well-drained, silty formed in loess

6 STRONGLY SLOPING TO STEEP, SILTY SOILS ON UPLANDS
- KUMM-SEDGWICK ASSOCIATION: Deep, very gently sloping to steep, well-drained and excessively drained, silty soils formed in loess and siity loam over loamy sand

7 NEARLY LEVEL TO VERY STEEP, SANDY AND LOAMY SOILS ON UPLANDS
- VALENT-WOODLY ASSOCIATION: Deep, nearly level to nearly steep, excessively drained sandy soils formed in sandy eolian material
- ALTWAN-COLBY ASSOCIATION: Deep, gently sloping to steep, excessively drained loamy and gravelly sandy soils formed in sandy loam and loamy sanj

8 NEARLY LEVEL, SILTY SOILS ON BOTTOM LAND UPLANDS
- KEITH-SIBLEY ASSOCIATION: Deep, gently sloping to steep, moemderately well to somewhw drained, loamy soils formed in loess and loes over sands and loess over sandy loess

9 NEARLY LEVEL, SILTY SOILS ON BOTTOM LAND
- KEITH-GANNETT, VARIANT ASSOCIATION: Deep, nearly level, somewhat poorly drained and very poorly drained, silty soils formed in loess and loazn and alluvium

* Unless otherwise indicated, the texture terms in the descriptive headings refer to the surface layer of the major soils in the association.

Compiled 1989

The land that sustains us comprises 11 distinct soil associations, each with its own character and story. A soil association is a landscape with distinctive proportional patterns, typically consisting of one or more major soils and at least one minor soil. We name these associations for their predominant soil types, and each presents unique opportunities and considerations for our future.

Valent – Woodly Association (Soil Association 8) This magnificent association is our county's largest, covering 141,100 acres or 25% of our land. Stretching from the southwestern portion to the northeastern corner, it bridges the nearly level to hilly areas between loamy uplands and expansive sandhills. Valent soils, sandy loam formed in sandy subsoil, comprise 56% of this association, while Woodly soils make up 30%.

The majority of this land nurtures our dry land and irrigated crop production, with some sloped areas (reaching up to 24%) serving as rangeland for livestock grazing. Our primary stewardship challenges here involve wind erosion and maintaining soil moisture and fertility. None of these soils face flooding issues or have high water tables, though their relatively steep slopes and high permeability require thoughtful management to prevent groundwater contamination.

Rosebud – Kuma – Mace Association (Soil Association 1) This association graces nearly 113,280 acres or approximately 20% of our county land. These soils blanket the nearly level uplands extending southwest to northeast across the county.

Rosebud soils comprise over 37% of this association, while Kuma soils account for just under 20% and Mace soils nearly 13%. The remaining 30% consists of minor soils including Alliance, Ascalon, Canyon, Satanta, and Scott soils. These loess soils (fine-grained silty materials deposited by wind) all have some weakly cemented caliche (calcium carbonate deposits) and are generally 6 inches thick with a 7-to-10-inch subsoil.

Most soils in this association support dryland or irrigated crop production, with a few more sloping areas providing pasture for native grasses. Soil blowing, fertility maintenance, and moisture conservation are our primary management concerns. With water tables consistently below 6 feet and no flooding risks, combined with slow permeability, these soils present only moderate hazards for more intensive uses like confined livestock production.

Kuma – Satanta Association (Soil Association 3) The soils in this association cover approximately 108,590 acres or nearly 20% of our county. They grace the nearly level to gently sloping uplands mainly in our northwestern portion and along our northern border.

Kuma soils, formed in loess, comprise about 45% of this association, while Satanta soils account for just over 43%. The remaining area includes Dailey, Haxtun, Rosebud, and Scott soils, each with unique characteristics that contribute to our agricultural mosaic.

Most of these lands host dryland or irrigated crop production, with a small percentage serving as rangeland. Wind and water erosion constitute our primary management challenges. With the exception of Scott soils, none flood or have high water tables, and their relatively low percolation rates present few hazards for more intensive agricultural or commercial feeding operations.

Satanta – Woodly – Sarben Association (Soil Association 5) This association embraces the undulating uplands across the southeastern third of our county, covering some 65,750 acres or nearly 12% of our land. Satanta soil comprises 43% of the association, Woodly soils account for 34%, and Sarben soils make up approximately 5%.

These lands primarily support dryland and irrigated crop production, with small areas serving as rangeland. Wind and water erosion, along with moisture conservation, represent our main management concerns. While most soils in this association don't flood or have high water tables, their relatively high permeability levels suggest caution when considering higher intensity uses, to protect our groundwater from contamination.

Ulysses – Colby – Keith Association (Soil Association 7) This association embraces the strongly sloping to steep side slopes and gently sloping ridge tops in the east-central portion of our county. Covering a substantial 48,430 acres near our eastern edge, these soils present a diverse profile across varying elevations.

The lesser-sloped areas support dryland and irrigated crop production, while steeper sections provide valuable rangeland for cattle. Wind and water erosion, moisture conservation, and fertility represent our primary management considerations. The relatively high degree of slope in much of this area naturally limits more intensive use.

Keith – Kuma Association (Soil Association 6) This association graces smooth valleys and gently sloping ridges in the north-central and northeastern portions of our county, covering some 34,880 acres or just over 6% of our total land area.

Most of this land supports dryland and irrigated crop production, with a small percentage maintaining native grasses. Wind erosion and moisture and fertility conservation are our major management priorities. With no flooding risks and no high-water tables, combined with relatively low permeability and limited slopes, these soils are well-suited to higher-intensity agricultural and commercial uses such as confined livestock feeding.

Valent Association (Soil Association 9) This association covers our undulating to hilly sandhills and nearly level to gently undulating valleys within those sandhills. These iconic landscapes occur in our south-central region and along the northeastern boundary. Valent soil comprises 95% of this association.

Nearly all this land serves as rangeland, with small valley areas supporting irrigated hay or crop production. Wind erosion, soil fertility maintenance, and irrigation runoff management are our primary concerns. The high permeability and relatively steep slopes naturally limit development, protecting these landscapes for the future.

Mace – Kuma – Alliance Association (Soil Association 2) This association graces smooth upland areas in our southwestern corner, covering some 13,240 acres or just over 2% of our county. Mace soil comprises nearly 50% of this area, Kuma soils about 28%, and Alliance soils 14%.

Most of this land supports dryland or irrigated crop production, with a small portion serving as rangeland. Our primary management considerations include wind erosion, moisture conservation, and fertility maintenance. The shallow depth of these soils and calcareous bedrock nature present potential groundwater contamination risks from herbicides, pesticides, and livestock manure, limiting potential for higher intensity uses.

Altvan – Haxtun Association (Soil Association 4) This association covers smooth upland areas in our south-central region, spanning some 12,480 acres or just over 2% of our total land area. Slopes here are very limited, ranging from 0 to 3%.

Most of this land supports dryland or irrigated crop production, with only minor acreages used for rangeland. Wind erosion, moisture retention, and fertility maintenance are our primary management concerns. The primary factor limiting higher-intensity use is the high permeability rate of Altvan soils, creating potential groundwater contamination hazards.

Altvan – Dix Association (Soil Association 10) This association covers strongly sloping to very steep side slopes along upland drainageways in our extreme northwest corner. Slopes in this 1,750-acre area range from 6 to 30%.

Due to the steep slopes, most of this land serves livestock grazing, with small lower-elevation areas supporting dryland crop production. Wind and water erosion, along with excessive slope, present the primary limitations.

Gibbon – Gannett Variant Association (Soil Association 11) This association graces the relatively level bottomlands along Stinking Water Creek in our southeastern region. Covering only 620 acres, these silt loam soils were deposited over very fine sand and alluvium (water-deposited materials).

This area supports a harmonious blend of rangeland, hay production, and some crop production. Occasional flooding presents the primary challenge limiting more intensive use.

Prime Cropland

The conservation of our most productive soils represents a sacred trust for any forward-thinking community. In Nebraska and other agricultural states, preserving prime cropland is essential for our economic vitality. This is especially true here in Perkins County, where agriculture forms the backbone of our local economy.

Our county is blessed with over 361,000 acres of land with soils classified as prime cropland when irrigated. This treasure comprises approximately 64% (nearly 2/3) of our total 566,470 acres. While agricultural agencies classify prime cropland based on maximum yield potential, our producers – with generations of wisdom and experience – evaluate land based on profitability in both irrigated and dryland scenarios.

Crop and livestock production forms the heart of Perkins County land use, as it does throughout Nebraska. Approximately 80 percent of our land nurtures crop production, with 30 percent benefiting from irrigation. Beyond our limited urban development, the remaining land provides valuable rangeland.

The development of large-scale confined livestock operations or non-agricultural uses in areas with prime cropland would result in the loss of this productive resource. Several soils categorized as prime cropland also have environmental limitations that should guide development decisions, including flooding potential, erosion risk, and soil permeability.

Soils Limitations

Our soils tell us where development should flourish and where caution is needed. Some areas should remain free from non-agricultural developments and confined livestock operations due to potential environmental impacts. These limitations include flooding risks, wind or water erosion vulnerability, and potential groundwater contamination through seepage or high-water tables.

The environmental hazard factors linked to specific soil types provide our Planning Commission and County Officials with valuable guidance when evaluating proposed developments. These factors should be carefully considered when determining whether a proposed use is appropriate for a particular area.

TABLE 22 – USE LIMITATIONS OF SOILS – PERKINS COUNTY, NEBRASKA

Environmental Hazard Code
1 – Flooding
2 – High Water Table (less than 6 feet)
3 – High Degree of Slope
4 – Excessive Seepage
5 – Wetness / Ponding
6 – Excessive Wind / Water Erosion
7 – Poor Filter
8 – Slow Percolation Rate
9 – Depth to Bedrock
– Only slight limitations

SOIL	Dwellings	Septic Tank / Absorption Field	Sewage Lagoon	Confined Livestock Feeding*	Commercial / Industrial Building
Alliance	–	–	3, 4	–	–
Altvan	–	3, 7	3, 4, 7	4, 7	–
Ascalon	–	–	4	–	–
Bankard	1	1, 7	1, 4	1, 4	1
Blanche	1	4	4	–	–
Canyon	–	4, 9	4, 9	4, 9	–
Colby	3	3	3	6	3
Creighton	–	–	3, 4	–	–
Dailey	–	7	4, 7	4, 7	–
Dix	3	3, 7	3, 4, 7	3, 4	3
Duda	9	4, 9	4, 9	4	9
Gannett Variant	1, 5	1, 5	1, 5	1, 5	1, 5
Gibbon	1, 5	1, 5	1, 4, 5	1, 4, 5	1, 5
Haxtun	–	–	4	–	–
Jayem	–	–	4	–	–
Keith	–	–	3, 4	–	–
Kuma	–	–	4	–	–
Mace	–	4	4	4, 9	–
McCash	–	–	–	–	–
McCook	1	1	1	1	1
Rosebud	–	4, 9	4, 9	4, 9	–
Sarben	–	–	4	–	–
Satanta	–	–	3, 4	–	–
Scott	5	5	5	5	5
Tassel	9	4, 9	4, 9	4, 9	9
Ulysses	–	–	3	–	–
Valent	3	7	3, 4, 7	3, 4, 7	3
Vetal	–	–	4	–	–
Woodly	–	–	4	–	–

The soils supporting our communities also present considerations for development. Each community except Grainton sits on soil types with high permeability rates, often combined with shallow depth to bedrock. This suggests that excessive use of on-site sewage disposal systems in close proximity could risk groundwater contamination.

Topography and Drainage

The landscape of Perkins County unfolds as plains shaped by wind and water, creating a mosaic of tablelands and valleys. These plains range from nearly level to strongly sloping. Our western region is nearly level to gently sloping, interrupted by several drainageways with stronger slopes. The eastern portion presents more varied terrain from gently to strongly sloping, with numerous steep-sloped drainageways. Slopes throughout our county range from flat plains to dramatic 60% grades in our sandhills.

Sandhills cover approximately one-fifth of our county, primarily in the southwestern, south-central, and northeastern areas. These iconic landscapes feature choppy hills, hummocks, depressions, and flat areas. The valleys within the sandhills vary considerably in size but are generally flat.

Most of our county falls within the Republican River drainage basin to the south. The northwestern areas and portions of the north-central and northeastern regions drain to the South Platte River.

Elevations across our county range from 3,600 feet above mean sea level (6 miles south of Venango) to 3,176 feet (east of Grainton). Grant, our county seat situated near the center, sits at an elevation of 3,410 feet.

This varied topography presents both challenges and opportunities for development. The relatively high percentage of sloped land faces severe erosion risk from wind and water. These same slopes, combined with shallow soils and limited depth to bedrock, naturally guide where development should and shouldn't occur.

The relatively flat valleys between uplands present few limitations for agricultural use or development. The narrow valleys along major creeks and streams experience occasional flooding and should remain primarily agricultural.

Our sandhills, with their undulating terrain and poorly defined drainage, present severe limitations for crop production and non-agricultural uses but provide excellent rangeland for livestock grazing – a perfect example of how our land tells us its best purpose.

Flood Hazards

While flooding impacts only limited areas in our county, we treat these considerations with appropriate respect. The primary flood-prone areas occur on bottomlands along our creeks and streams, experiencing intermittent flooding after heavy rain. The narrow nature of these channels means floodwaters can reach damaging velocities, signaling that building development near these waterways should be approached with caution. Similarly, sewage disposal systems, lagoons, or confined livestock facilities that could impact surface or groundwater in these areas require thoughtful regulation.

On September 19, 2005, the Perkins County Board of Commissioners approved Resolution 2005-32, establishing our Floodplain regulations. This ordinance meets the standards of the National Flood Insurance Program (NFIP) and the State of Nebraska. With this resolution and the resulting Flood Insurance Rate Map (FIRM), any homeowner can purchase flood insurance. The Perkins County Zoning Administrator (WCNDD) serves as our designated Floodplain Manager.

These flood hazard areas are implemented through the County's Floodplain Overlay District and related floodplain management standards in the zoning regulations. Future development in flood-prone areas should remain consistent with both this Plan and the County's floodplain regulatory framework.

Water Supply and Quality

One of our greatest blessings is that all of Perkins County sits above the Ogallala and Quaternary Formations, providing abundant groundwater at varying depths. Wells tapping the Ogallala aquifer – the deeper of the two – supply most of our irrigation needs, while also supporting domestic and livestock use.

The Upper Republican Natural Resources District continues to monitor our water quality and quantity. Since the mid-1970s, experts have tracked declining groundwater levels in the Upper Republican NRD and diminishing inflow into Enders Reservoir in Chase County. Extensive research by the U.S. Geological Survey, the Conservation and Survey Division of the University of Nebraska-Lincoln, and the Upper Republican NRD led to groundwater modeling that helps predict future changes.

In response to ongoing depletion concerns across the district (comprising Perkins, Chase, and Dundy Counties), the Upper Republican NRD instituted well permit moratoriums in 1999-2000 and 2000-2001 through their "Rules and Regulations for Groundwater Control."

Water availability will continue to influence our county's future. Our plans must embrace water conservation, especially for high-volume users like traditional and commercial agricultural operations. New techniques for agricultural waste management, such as aerobic composting, offer promising avenues for water conservation in confined livestock facilities.

The water from our Ogallala Aquifer suits all uses, though it ranges from hard to very hard. Water from the shallower Quaternary Aquifer is slightly hard to hard. This abundant water resource supports livestock production, crop irrigation, and potential industrial uses. However, the sandy soils and shallow depth in some areas naturally guide development decisions, suggesting caution for industrial uses, concentrated residential developments, and confined livestock operations due to groundwater contamination risks.

Beyond our intermittent creeks and streams, Perkins County has notably few surface water bodies, with no significant lakes or perennial watercourses.

Air Quality

The quality of our air represents another vital component of our environment. Perkins County benefits from relatively few sources of significant air pollutants. Limited emissions come from grain elevator operations near our communities, which occasionally release grain dust affecting local air quality. All elevator operations now comply with more stringent dust control regulations, reducing air contaminants over the past decade.

Other occasional sources of dust and odor include several confined livestock feeding operations. While the complete elimination of odors from these facilities is unrealistic, minimizing conflicts with neighboring properties requires thoughtful regulation. This includes encouraging manure handling practices that reduce odor production and establishing appropriate distance standards between livestock operations and residential, public, or non-agricultural uses.

Air quality in our rural areas generally remains excellent, as our rangeland with its natural cover and our cropland cultivation techniques provide adequate ground cover to minimize wind-blown soil contamination.

MAN-MADE RESOURCES

Past Development Trends

Human-made features in Perkins County have evolved thoughtfully since our settlement at the turn of the 20th Century. The development of our railroad, which established our villages, along with the construction of State Highways 23 and 61, continues to shape development patterns. Rural development has maintained a traditional agricultural character, featuring farm dwellings and outbuildings at appropriately low densities.

Transportation Impacts

Our transportation infrastructure centers on two state highways that intersect the central portions of our county from north to south and east to west. Most commercial activities cluster near these major roadways, in or near our incorporated villages. These highway locations haven't dramatically impacted overall development patterns, largely because our soil characteristics naturally guide much of our land toward crop and range use, creating our characteristic low development density.

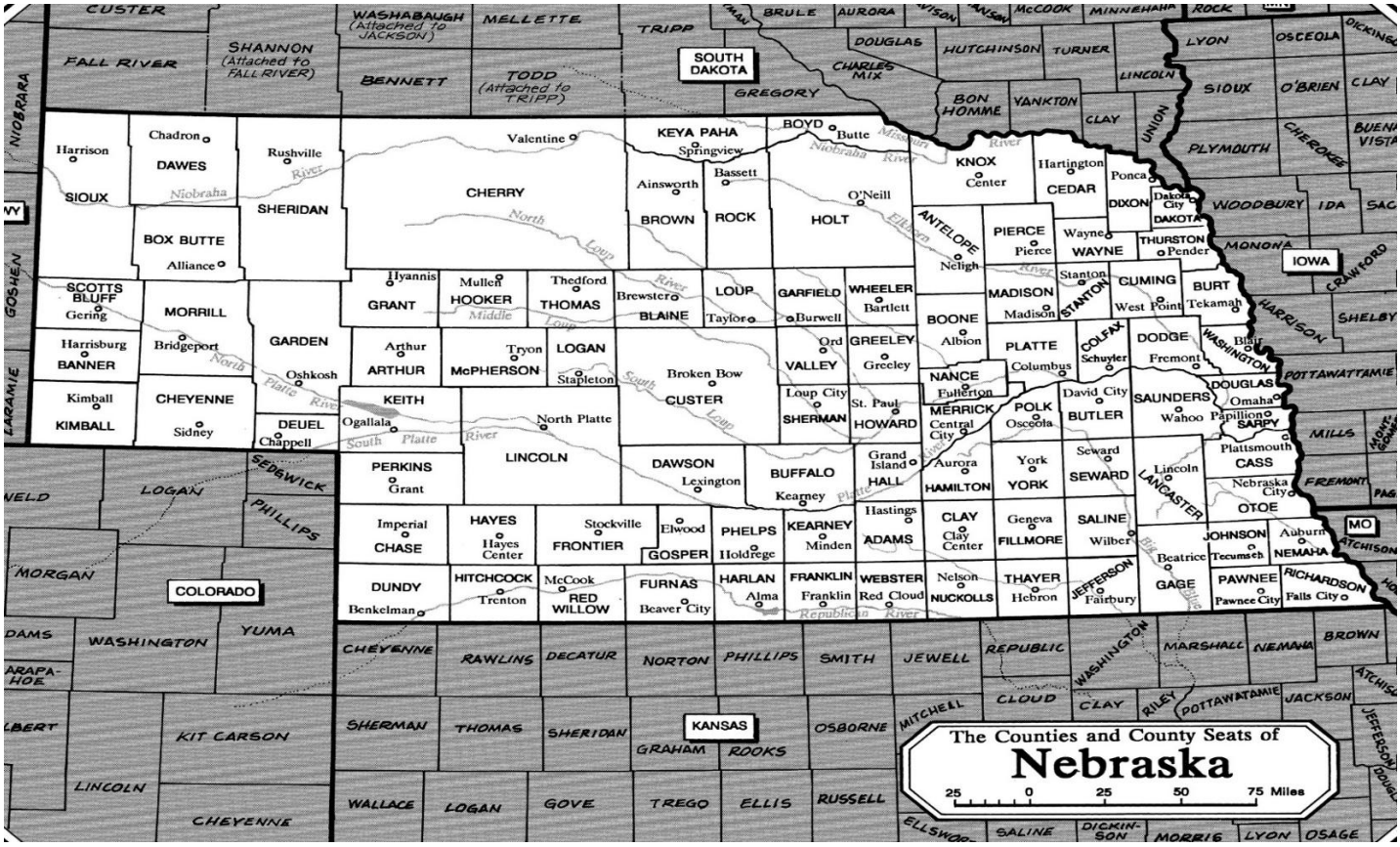
EXISTING LAND USE

Introduction

Understanding our current land use patterns provides the foundation for thoughtful planning. These existing patterns represent our starting point for the planning process and guide the development of zoning regulations that protect established uses while encouraging compatible economic growth.

Physical Character of Perkins County

Our physical landscape fundamentally shapes development possibilities. Perkins County proudly occupies the southwestern portion of Nebraska, with our western border meeting Colorado. We encompass 566,470 acres or approximately 885 square miles, extending approximately 42 miles east-west and 21 miles north-south. We're bordered by Sedgwick and Phillips Counties (Colorado) to the west, Lincoln County (Nebraska) to the east, Chase and Hayes Counties (Nebraska) to the south, and Keith County (Nebraska) to the north.

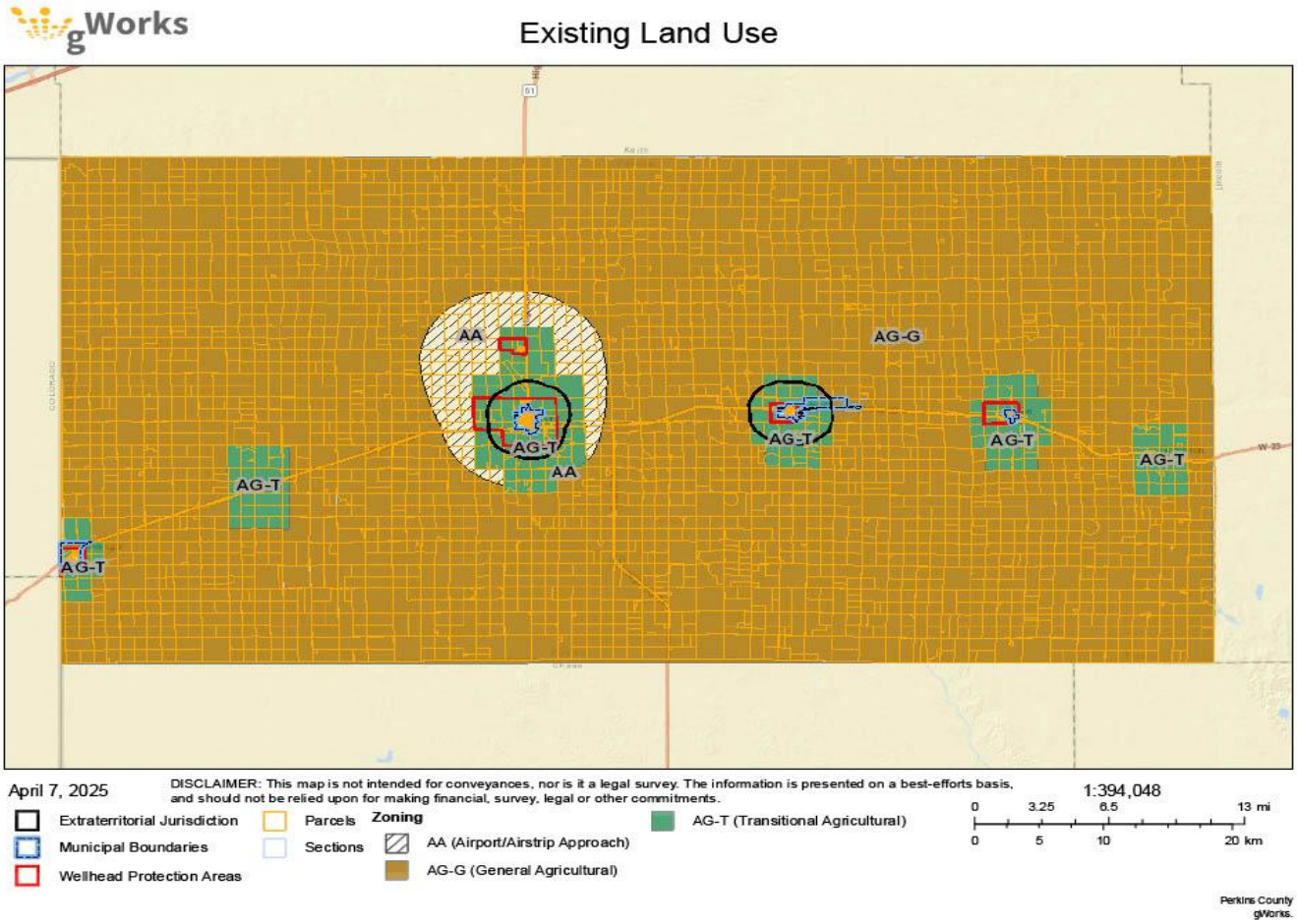


Rural Residential Development

According to the 2020 U.S. Census, Perkins County is home to 2,858 residents, with 1,700 residing in our urban communities and 1,158 in rural areas. The 2022 US Census of Agriculture documented 404 operational farmsteads throughout the county.

As shown in Figure 11, rural residential development spans the entire county, with the highest density occurring around the City of Grant, just outside the corporate limits. Significant rural residential clusters also surround the Villages of Venango, Madrid, and Elsie, and line our major transportation routes (State Highways 61 and 23). This pattern reflects a common trend across Nebraska, as homeowners seek larger land parcels while maintaining proximity to urban amenities.

From a countywide perspective, rural residential development concentrates in the eastern two-thirds of our county, with the lowest density in the western third near the Colorado border.



Rural Commercial Development

Rural commercial development remains limited in Perkins County, with most businesses operating within Grant or our other incorporated villages. However, 19 rural commercial uses merit consideration in our planning process.

Eight of these are gravel pits distributed across the county: two in the northwestern corner, three near Venango, one approximately 8 miles north of Venango, one four miles west and eight miles south of Grant, and one west of Grant with another south of Madrid.

Additional rural commercial uses include structures near Madrid and a communications tower in the northeastern corner of the county.

Rural Industrial Development

Significant industrial operations continue to shape Perkins County's rural economy, providing both essential services and economic opportunities for our region.

J Bar J Solid Waste Disposal Facility

The J Bar J Solid Waste Disposal Facility, located in the north-central portion of our county (Section 30, Township 12 North, Range 39 West), has evolved considerably since beginning operations in 1991. Originally a wholly owned subsidiary of Waste Management of Nebraska, Inc., the facility is now operated by Waste Connections. This modern municipal solid waste disposal facility remains permitted by the Nebraska Department of Environmental Quality and serves communities across western Nebraska, northeastern Colorado, and northwestern Kansas.

Recent developments show expansion plans for the facility are complete. As of late 2025, attorneys for both Perkins County and Waste Connections worked tirelessly to finalize an agreement for expanding the landfill into a 67-acre section west of the current 80-acre site at Roads 770 and 323. This expansion will ensure continued capacity for waste management services vital to our region.

The facility's future is also being reimagined through community input. In February 2025, local resident Caleb Richter-Tate presented commissioners with innovative proposals to eventually transform the landfill into green space with potential recreational uses once its operational life concludes. This forward-thinking approach demonstrates our community's commitment to both practical waste management and long-term environmental stewardship.

Mid America Agri-Products/Wheatland Ethanol Plant

Our ethanol production facility in Madrid, developed by Mid America Agri-Products/Wheatland (MAAPW), continues to be a cornerstone of our agricultural economy since breaking ground in December 2005 and beginning operations in early 2007. This family-led operation has grown to produce 48 million gallons of ethanol annually, alongside valuable co-products.

Recent developments include the plant receiving EPA approval to produce cellulosic ethanol using Edeniq's Pathway technology representing an important advancement in sustainable fuel production. The facility now processes approximately 16.5 million bushels of corn annually to produce 48 million gallons of ethanol, plus distillers' grains and corn oil.

In early 2025, MAAPW formalized a partnership with Scoular to supply grain and logistics support for the ethanol plant, leveraging Scoular's extensive producer and commercial relationships in the region. MAAPW's CEO Prestin Read noted that this partnership not only ensures reliable grain supply but also strengthens their strategy of integrating "cutting-edge carbon sequestration technology" into their operations.

Since beginning operations, the plant has processed more than 200 million bushels of corn and produced 570 million gallons of ethanol. The facility continues to employ approximately 40 full-time workers while supporting numerous secondary jobs throughout our five-county area, making it a vital contributor to our regional economy.

Scoular Grain Operations

Scoular maintains an extensive presence throughout Perkins County with grain receiving operations in multiple locations. According to current data, Scoular operates facilities in: Brandon (2,070,801 bushel capacity), Madrid (3,681,396 bushel capacity), Venango (9,561,074 bushel capacity), as well as locations north and south of Grant along Highway 61.

A significant enhancement to Scoular's operations came with the opening of their high-speed shuttle loading facility in Grainton in November 2022. This state-of-the-art facility replaced a standard elevator with just 25-car capacity, expanding to accommodate 110 rail cars with storage capacity of 6 million bushels. The facility can receive farmer grain at an impressive rate of 45,000 bushels per hour while simultaneously loading railcars at 60,000 bushels per hour.

This investment provides Perkins County producers with access to broader markets through the BNSF network, including Mexico and Texas, enabled by the Nebraska, Kansas, & Colorado Railway (NKCR). Ty Knispel, Western Nebraska Regional Manager for Scoular, oversees 14 facilities in the region, including those in Grainton, Wallace, Madrid, South Grant, North Grant, Brandon, and Venango within our county.

Frenchman Valley Coop (FVC)

Established in 1912, Frenchman Valley Farmers Cooperative stands as one of our region's oldest and most established agricultural service providers, serving crop and livestock agricultural producers throughout southwest Nebraska, northwest Kansas, the Nebraska Panhandle, northeast Colorado, and Wyoming. With 21 locations across this region, FVC maintains important facilities in Perkins County, including their Grant location with 5,678,000-bushel grain capacity and their Venango facility with 1,785,000-bushel capacity.

The cooperative provides a comprehensive range of agricultural services including grain marketing and storage, agronomy services with crop protection products and fertilizers, feed products, petroleum services, and financial services including crop insurance. FVC's mission centers on "improving the economic well-being of its farmer-rancher members by being a dependable and consistent source of agricultural inputs, markets and services".

Beyond their commercial operations, Frenchman Valley Coop maintains a strong commitment to community development through support of local youth agricultural programs. In 2023, the cooperative partnered with CoBank to donate $20,000 to local FFA chapters, including Perkins County FFA, for leadership programming and agricultural education initiatives.

Hi-Line Cooperative

The Hi-Line Cooperative serves as another cornerstone agricultural service provider in Perkins County, with its main office located in Elsie and additional branches in Wallace, Sutherland, Hershey, Grant, Roscoe, and Brule. This locally owned cooperative is directed by area producers and ranchers, serving Lincoln, Perkins, Hayes, Keith, Chase, Deuel, Arthur, and McPherson counties across western Nebraska.

Hi-Line's operations in Perkins County provide essential agricultural services including crop protection applications, precision farming technologies, quality fuel distribution, seed sales, and agronomic consulting. Their energy division delivers propane to homes and businesses while also supplying Cenex® gasoline, diesel fuels, and lubricants across the region.

The cooperative maintains a strong commitment to local agricultural education and community development, supporting FFA chapters and 4-H groups across their service area and sponsoring county fairs in Lincoln, Perkins, and Keith counties. These community investments reflect their dedication to "educating our next generation of farmers in Southwestern Nebraska".

Helena Agri-Enterprises

Helena Agri-Enterprises LLC established a new presence in Perkins County in June 2023 when the County Commissioners unanimously approved a conditional use permit for the company to operate a commercial fuel and fertilizer bulk plant at Roads 325 and 768 in the northwest portion of the county. This 5.3-acre property, owned by Thomas and Lynne Werner, was designated specifically for holding bulk fertilizer products, according to Jake Adler, general manager for Helena in Grant.

As a global leader in developing and manufacturing agricultural products, Helena brings its extensive expertise in precision technology and data management to Perkins County farmers. Their expansion into our county represents a growing investment in agricultural infrastructure that supports our farming community with additional options for crop inputs and services.

Nutrien Ag Solutions

Nutrien Ag Solutions, a global leader in agricultural services with 26,000 employees worldwide, maintains a presence in Nebraska through their network of retail locations. Their services are available to area producers through their regional operations, including Perkins County.

Nutrien offers a comprehensive portfolio of crop inputs and services across the agricultural value chain, with a focus on building strong relationships with farmers to improve on-farm productivity. Their approach includes connecting farmers with local crop consultants who provide individualized recommendations tailored to the unique challenges of each operation.

These agricultural service providers form an essential support network for Perkins County's farming operations, providing the necessary inputs, expertise, and market access that sustain our agricultural economy. Their continued investments in facilities, technology, and community development strengthen the county's position as a vital agricultural production center in western Nebraska.

Commercial Agricultural Development

Large-scale livestock feeding operations (above 300 animal units) represent a significant agricultural development trend across Nebraska, boosting local and state economies while requiring careful siting and management to protect neighboring properties and the environment. Perkins County currently hosts 27 livestock feeding operations: 25 cattle feedlots and 2 confined hog operations.

Cattle feedlots primarily occupy the southern and eastern halves of the county at varying densities, often near farmsteads. Expansion of these operations requires careful review to minimize environmental impacts and land use conflicts.

Our two hog confinement operations require particular attention. One finishing operation in southeast Perkins County sits near the Lincoln County border, approximately 7 miles southeast of Grainton. Located above a floodplain and wetland area near Blackwood Creek, this operation applies livestock waste to land partially within the floodplain. Currently, one occupied rural residence lies within half a mile, with four additional residences within a two-mile radius.

The second hog confinement nursery operates in east-central Perkins County, approximately 5 miles northeast of Madrid. Situated on highly permeable Valent-Woodly soils, this facility requires proper engineering and maintenance to protect groundwater. One occupied rural residence lies immediately south, with six additional residences within a two-mile radius.

These livestock operations demand thoughtful regulation in our Future Land Use Plan and corresponding zoning provisions.

Rural Public/Semi-Public Development

Our beloved Perkins County is dotted with cherished public and semi-public spaces that serve as gathering places and landmarks for our community. These special places tend to cluster along our major transportation routes and near our welcoming communities, connecting us to both our present needs and our rich heritage.

Our rural cemeteries stand as solemn guardians of memory across our landscape, representing one of our most significant public land uses. Eight such sacred grounds grace our county: the historic Grant Fairview Cemetery southwest of Grant (which features a special "Babyland" area for children) , southeast of Venango, north of Grant, two locations near Elsie, and south of Madrid. Each serves as a peaceful resting place for generations of Perkins County families.

The Grant Municipal Airport represents our largest public use by land area, covering 95 acres approximately two miles north of Grant's central business district. This valuable transportation hub is included in the National Plan of Integrated Airport Systems as a general aviation airport serving our region. Throughout our county, thirteen private landing strips and one helipad provide additional aviation access, connecting our rural community to the wider world.

The Wild Horse Spring State Historical Marker stands approximately three miles north of Grant along State Highway 61, offering a welcoming stopping area for travelers while commemorating our pioneer heritage. The Texas Trail State Historical Monument near Madrid similarly honors the paths that brought settlers to our region. Our public spaces also include a rural school nestled beside a church between Grant and Madrid, a historic church with an adjacent cemetery north of Grant, and the former city dump site south of Grant.

These community spaces, from our cemeteries to our historical markers, don't just occupy land – they tell the ongoing story of Perkins County and the people who've called this special place home across generations.

Existing Land Use Summary

Perkins County maintains a very low-density development pattern consistent with western Nebraska's character. This established pattern offers several planning implications:

- Few non-farm dwellings or non-agricultural uses currently exist in rural areas, minimizing land use conflicts. Future planning should maintain this separation to protect our agricultural economic base.
- Current low residential densities allow appropriate siting of future livestock operations with adequate setbacks to minimize impacts.
- Higher-density development naturally clusters near our urban communities, limiting demands for expanded rural services. This concentration should continue to guide our Future Land Use Plan and zoning, controlling service expansion costs.

Perkins County maintains a comprehensive, up-to-date property information database through GIS company gWorks. This valuable resource (www.perkins.gworks.com) provides current zoning maps, floodplain information, soil data, and property details.

FUTURE LAND USE PLAN

Introduction

Change defines every landscape, whether growing urban areas or rural counties experiencing population shifts. Our Future Land Use Plan provides a thoughtful guide for these changes, helping us avoid or minimize conflicts between land uses and the environment as our county evolves.

A successful Future Land Use Plan must acknowledge existing uses while maintaining flexibility to meet changing needs and encourage economic expansion. This Plan provides the policy foundation for land use regulations, zoning decisions, and related county actions. For these reasons, we've tailored our approach to the specific needs, desires, and limitations of Perkins County.

Our Future Land Use Plan builds upon existing rural land uses and our citizens' desire to protect these uses, local property values, and our distinctive way of life while promoting growth across all economic sectors, with special emphasis on agricultural development as our predominant economic driver. The following principles guide our approach:

- Private landownership remains essential to individual freedom, family heritage, and community prosperity.
- Existing agricultural uses, production methods, property values, and quality of life deserve protection while accommodating changes in agricultural methods and scale in compatible locations that respect the environment, property values, and community character.
- Land use regulations should remain minimal to preserve freedoms and property rights while effectively protecting existing uses, property values, our environment, and quality of life from incompatible development.

Land Use Component Concepts

Agricultural Uses: Agriculture will continue to dominate our unincorporated areas, encompassing crop production, pastureland, hay production, livestock operations, and compatible agricultural and agri-business uses.

We should avoid the loss of prime cropland to development whenever reasonably possible. Any conversion of the county's best agricultural land should be approached cautiously, with attention to long-term agricultural productivity, infrastructure capacity, compatibility with surrounding land uses, and consistency with the County's zoning regulations.

Residential uses associated with agricultural production will continue receiving support through ongoing improvements to roadways and public services.

Commercial agricultural production and processing operations offer opportunities to expand our economy, though these more intensive uses require thoughtful regulation to control location and operational methods, minimizing potential impacts on neighboring properties and natural resources.

Commercial and Industrial Uses: We welcome additional commercial and industrial development not requiring location within our communities. Those generating substantial traffic, particularly heavy trucks, should locate along major highway corridors rather than rural roads requiring increased maintenance.

Non-agricultural commercial or industrial uses should similarly concentrate along highways near our communities, minimizing land use conflicts and public infrastructure costs while enhancing community development. Higher-intensity energy and technology-related uses should also be evaluated in light of the siting, notice, and performance standards established in the County's zoning regulations.

Non-Agricultural Residential Uses: We support residential development not associated with farming operations as a means to encourage economic and population growth while providing housing choices. Such development, whether individual homes or subdivisions, should generally locate within one or two miles of our urban communities and along highways or major county roads. This approach prevents unnecessary infrastructure demands while enhancing our communities. Exceptions might include development around scenic areas or man-made lakes. We particularly encourage the revitalization of vacant farmsteads.

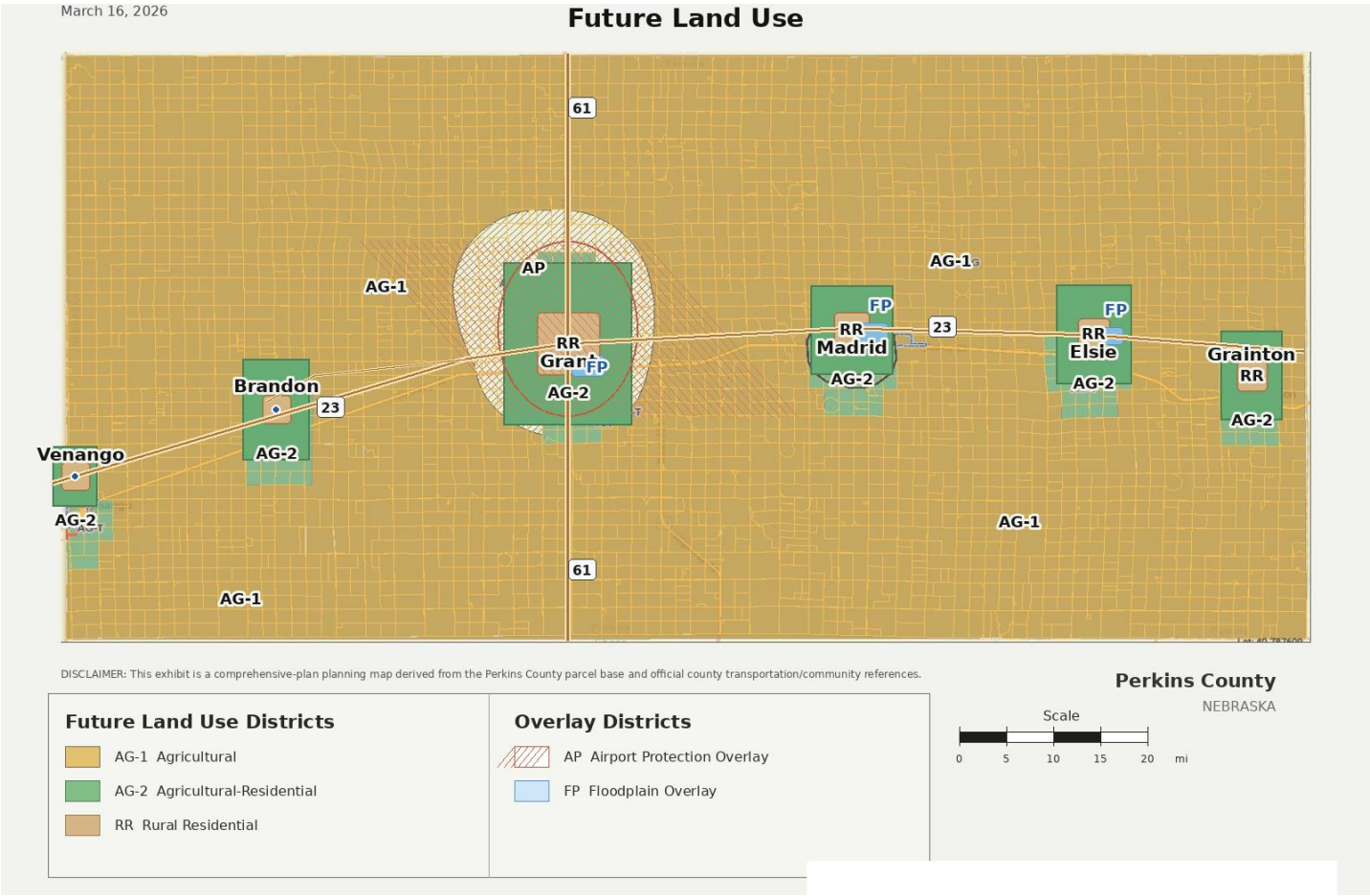
Future Land Use Plan

Based on these concepts, our Future Land Use Plan envisions three primary land use areas for future development:

1. Areas containing most "prime cropland"
2. Land most appropriate for Commercial/Industrial Development
3. Land near communities where more intensive development can access public services cost-effectively

For implementation purposes, the future land use framework in this Plan should be read together with the County's zoning districts. In general, agricultural preservation areas correspond most closely with AG-1; agricultural-residential transition areas correspond most closely with AG-2; rural residential growth areas correspond most closely with RR; and floodplain and airport-related constraints are implemented through the FP and AP overlay districts.

Airport-related height and land use constraints are implemented through the County's Airport Protection Overlay District and should be considered in future siting decisions for tall structures, energy infrastructure, and other uses that may affect navigable airspace or airport operations.



This Plan fundamentally seeks to preserve and protect existing land uses and natural resources while supporting our communities and encouraging economic expansion through compatible agricultural operations and non-agricultural development that respects our quality of life. This Comprehensive Plan is intended to be implemented through the Perkins County Zoning Regulations, subdivision review, capital improvement decisions, and related county actions. The land use concepts and policy direction in this Plan should be interpreted in a manner complementary to the County's zoning framework, including the AG-1 Agricultural District, AG-2 Agricultural-Residential District, RR Rural Residential District, AP Airport Protection Overlay District, FP Floodplain Overlay District, and the Preferred Development Corridor policy concept.

General Agricultural Use: As depicted in Figure 16, most unincorporated areas will continue supporting general agriculture, with special protection for prime cropland and enhancement of traditional farm and ranch activities. Land containing our best soils for crop production should remain dedicated to this purpose. This doesn't prohibit other agricultural or agri-business uses in these areas, as non-prime soils exist within the overall prime cropland areas. Our prime cropland designation helps evaluate proposed uses that would remove land from crop production based on their long-term economic impacts.

Preferred Development Corridor: To minimize infrastructure impacts from intensive agricultural business, commercial, and industrial developments, we've identified land near major highways and rail lines as preferred development corridors. Concentrating these uses along transportation routes can help minimize public service demands and infrastructure costs associated with law enforcement, emergency response, road maintenance, and fire protection. These corridors, indicated on our Future Land Use Plan Map, generally reflect the areas within three miles of State Highways 61 and 23 throughout the county and are intended to guide the location of certain higher-intensity commercial, industrial, and technology-related uses. The Preferred Development Corridor is a planning and policy concept rather than a separate zoning district, and it does not appear as a mapped zoning district on the Official Zoning Map. Its primary purpose is to help guide the location of certain higher-intensity commercial and technology-related uses in coordination with the zoning regulations.

Transitional Areas for Non-Agricultural Uses: Over our 10-year planning period, we anticipate additional non-farm residential and commercial development. These non-agricultural uses should ideally locate within 1-2 miles of our existing communities, providing residents easy access to services while minimizing public service costs. This approach also strengthens each community's local economy.

Additionally, we'll protect areas around our communities from incompatible uses through appropriate buffering within 1-2 miles of each community.

Following these land use guidelines will protect existing rural and community uses while avoiding development in environmentally sensitive areas. Our commitment to preserving prime croplands will maintain our agricultural production capacity – the cornerstone of our economy – for generations to come.

TRANSPORTATION PLAN

Introduction

The heartbeat of any thriving community is how easily its people and goods can move from place to place. Our Transportation Plan thoughtfully maps out the future transportation needs of Perkins County, with special attention to the road networks that connect our families, farms, and businesses. By implementing this thoughtfully crafted plan during our planning period, we'll ensure that everyone traveling through our beautiful county can do so safely and efficiently for generations to come.

Transportation Planning and Land Use

The dance between land use and transportation creates the rhythm for our future development. When we improve an existing route or build a new one, we don't just create a path – we open doors to new possibilities for the land alongside it. While our community's needs shape transportation demands today, the roads we build tomorrow can transform land values and how intensively that land is used.

The interstate highway system, just a short 20-mile journey north of our county line, has already demonstrated how improved access can attract manufacturing and industrial development to rural areas like ours. That's why we're committed to coordinating our land use planning and transportation efforts at both county and municipal levels – because when we plan together, everyone in Perkins County benefits.

Our Transportation Plan draws inspiration and guidance from two primary wellsprings: (1) our locally developed Perkins County "One- and Six-Year Plan" and (2) the broader State of Nebraska Highway Program "One- and Five-Year Plan."

The County's "One- and Six-Year Plan," thoughtfully reviewed and adopted by our local government, outlines our vision for road and street system improvements. When approved by the Board of Public Road Classifications and Standards, this plan not only charts our course forward but also makes us eligible for vital highway-user revenue from the Nebraska Department of Transportation, helping us transform plans into reality.

The State's "One- and Five-Year Plan," crafted by the Nebraska Department of Transportation, establishes present and future state highway programs. While some projects remain in planning stages with information subject to change, the one-year plan identifies projects ready for immediate implementation, and the five-year plan looks further ahead to projects that may be implemented within that timeframe or sooner if scheduled one-year projects cannot proceed as planned.

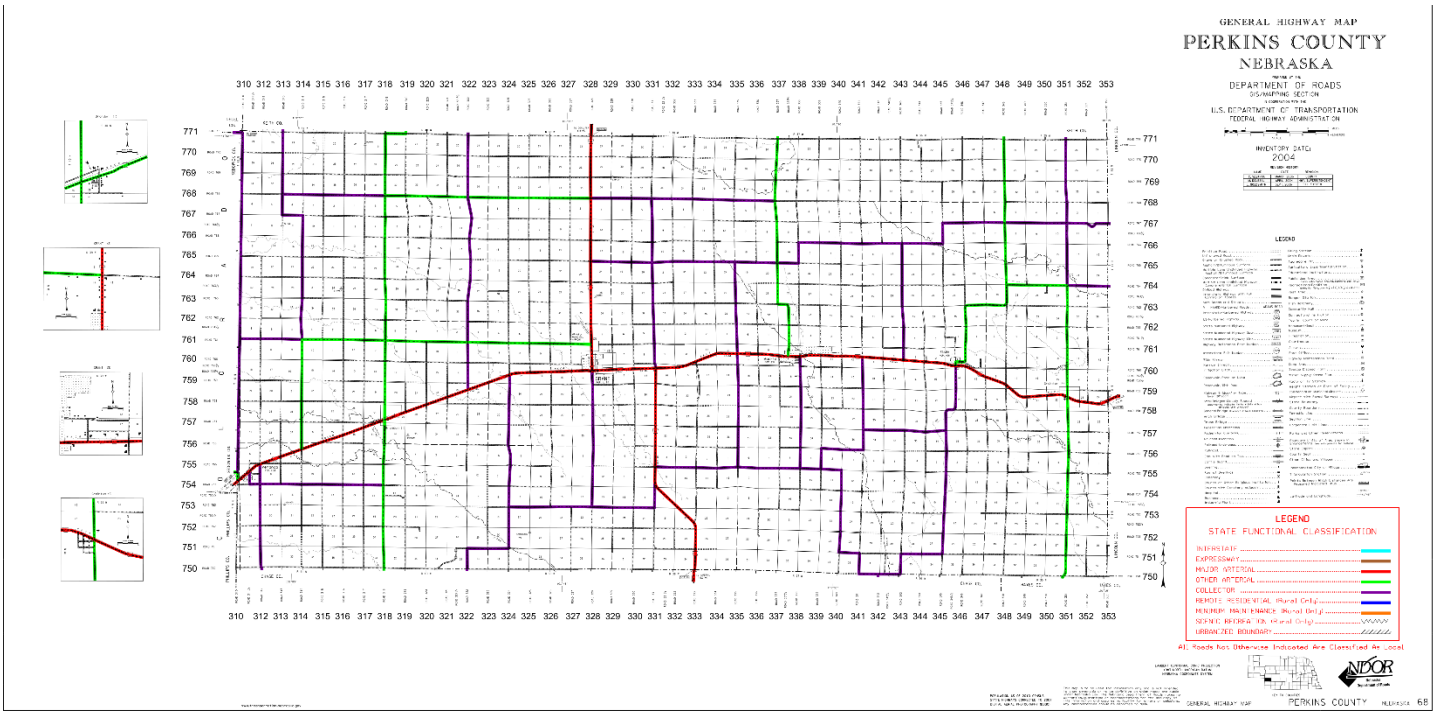
Transportation planning should continue to be coordinated with the Future Land Use Plan, the Preferred Development Corridor concept, and the County's zoning regulations so that roadway investments and land use decisions reinforce one another rather than work at cross purposes.

Street and Road Classification

Nebraska's thoughtful Highway Law (Chapter 39, Article 21, Revised Reissue Statutes of Nebraska 1943) provides a clear framework for classifying rural and municipal roads, streets, and highways. Chapter 39, Article 21.03 defines rural highway classifications as:

1. Interstate: These federally designed highways form the backbone of our National System of Interstate and defense highways, connecting us to the broader nation.
2. Expressway: Second in importance to Interstate highways, these routes follow major traffic patterns and are ultimately developed to multiple divided highway standards for safe, efficient travel.
3. Major Arterial: These vital routes serve major statewide interests and are characterized by high-speed, relatively long-distance travel connections.
4. Other Arterial: These important connectors serve as lesser through-travel routes, linking smaller population centers and recreation areas to the wider network.
5. Collector: These essential local highways gather traffic from local roads and transport people to county centers or arterial systems, including our main school bus routes, mail routes, and farm-to-market connections.
6. Local: Forming the capillaries of our transportation system, these remaining rural roads provide land access and service to adjacent properties and homes.
7. Bridges: These crucial crossings span streams twenty feet or more in width or channels with combined width of three hundred feet or more.

Section 39-2103 thoughtfully requires that combined rural highways classified under subdivisions (1) and (3) should serve every incorporated municipality with at least one hundred inhabitants or sufficient commerce, ensuring all our communities have appropriate access to our major transportation arteries.



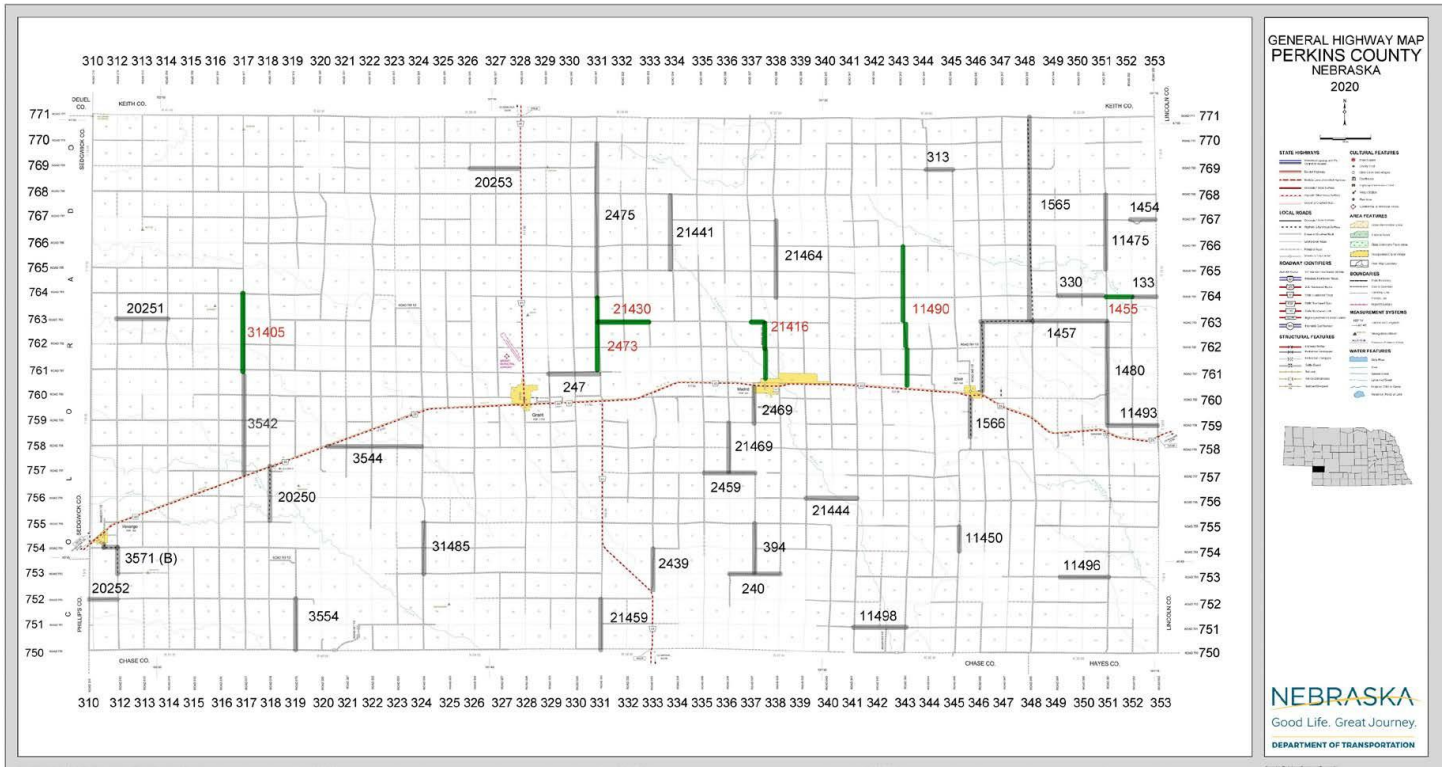
Future Street and Highway Projects

Perkins County Road Improvement Plan

Based on our forward-looking 2025 one- and six-year plan, Perkins County is committed to completing:

42 county road projects totaling 50 miles at an estimated cost of $900,000, enhancing connectivity throughout our rural areas.

A 5-mile pavement project on the Elsie/Paxton road , a vital connection between these communities that currently features paved sections on both the Elsie and Paxton ends with a gravel section in between. This important project will be funded through a thoughtful combination of federal purchase program funds, the County's paving budget, and bonds, totaling $5.5 million



Nebraska Department of Transportation's Improvement Plan

The Nebraska Department of Transportation's one-and five-year plan currently lists no projects for Perkins County in the one to five fiscal programming. However, the Department continues its mission to "provide and maintain, in cooperation with public and private organizations, a safe, efficient, affordable, environmentally compatible and coordinated statewide transportation system for the movement of people and goods." We maintain regular communication with state transportation officials to ensure our county's needs are considered in future planning cycles.

By nurturing our transportation network with these thoughtful improvements, we strengthen the connections that bring our communities together and sustain our way of life in Perkins County.

PLAN IMPLEMENTATION

Achieving Perkins County's Future

This section embodies the inspiration of our county officials and residents who participated in the planning process. However, the ultimate success of this Comprehensive Plan depends on the dedication of current and future elected officials, employees, and citizens.

With numerous goals and objectives contained in this Plan, we recommend the Planning Commission review these during regular planning sessions to guide decision-making.

Public Information

After updating the Comprehensive Plan, public information becomes crucial for implementation. Sharing the highlights of community meetings, surveys, census data, and other findings helps inform and engage our citizens in supporting the Plan. This public information might include:

- A PowerPoint presentation highlighting the Comprehensive Plan and community findings, presented to civic and governmental organizations
- Website summaries of key points
- Newspaper columns repeating highlights
- News releases announcing special programs to enhance public awareness

Many aspects of comprehensive planning often don't reach the public. These measures can influence civic groups, local governments, and individuals to implement activities adopted by the Planning Commission.

Action Agenda

Perkins County should identify and select three objectives from our Comprehensive Plan for immediate action. These might address challenges in our county, protect and enhance positive aspects, or overcome barriers to implementation. Selection should follow thoughtful goal prioritization and needs assessment to create our Action Plan.

Our Action Agenda combines:

- Goals and Objectives
- Growth Policies
- Land Use Policies
- Support programs

Critical to success will be earmarking specific funds and identifying individuals responsible for implementation.

Support Programs for the Action Agenda

Four key programs will drive the success of our Comprehensive Plan:

1. **Capital Improvements Financing:** An annual predictable investment plan using a six-year horizon to schedule and fund critical projects
2. **Zoning Regulations:** Updated land use districts, overlay districts, and use-specific standards that provide direction for future growth, resource protection, and compatibility among agricultural, residential, commercial, energy, and technology-related uses
3. **Subdivision Regulations:** If demand warrants, establishing criteria for dividing land into building areas, utility easements, and streets to implement our Transportation Plan
4. **Comprehensive Plan Maintenance:** Annual and five-year review programs ensuring flexibility in responding to development pressures and maintaining the Plan's viability

Comprehensive Plan Maintenance

Annual Review of the Comprehensive Plan

A current and relevant Comprehensive Plan maintains confidence in both public and private sectors, ensures effective planning activities, and guides appropriate land use. The Annual Review should occur during the Planning Commission's January meeting.

After adoption, we must identify any changing conditions affecting Plan elements or policies. At each year's beginning, the Planning Commission should prepare a recommendation addressing:

- Whether the plan remains current regarding population and economic changes
- If Land-Use goals, objectives and policies remain valid for appropriate long-term growth

Through a public hearing, the Planning Commission should:

1. Provide citizens and developers an opportunity to identify possible changes
2. Document the status of projects called for in the Plan
3. Identify any issues or changing conditions affecting Plan validity

If major policy issues or changed assumptions arise warranting potential revisions, the Planning Commission should recommend further study, potentially leading to amendments as detailed below.

Plan Amendment Procedures

We anticipate that individuals or groups may approach the Planning Commission with amendment proposals. All proposed amendments should be evaluated for their impact on surrounding land uses. Examining proposals collectively during the annual review allows better assessment of cumulative effects on our community and environment.

Unanticipated Opportunity

When major innovative development opportunities arise affecting multiple Plan elements and offering significant benefit to our county, we recommend prompt Comprehensive Plan amendments to facilitate these positive developments.

Methods for Evaluating Development

All significant land use and development proposals should be evaluated for consistency with this Comprehensive Plan and with the Perkins County Zoning Regulations. Consistency with the Comprehensive Plan should be treated as a threshold policy consideration, particularly for conditional use permit applications and other discretionary approvals.

Interpreting the Comprehensive Plan requires thorough analysis across all sections, with reference to goals, policies, and specific land use guidance. When considering specific development proposals, all relevant sections of this Plan should be reviewed for consistency. All significant land use and development proposals should also be evaluated for consistency with the Perkins County Zoning Regulations, particularly where discretionary approvals such as conditional use permits, amendments, or other County actions are involved.

If a proposal does not align with the Comprehensive Plan, applicants should consider modifications. Alternatively, the Planning Commission and County Board may use the following criteria to evaluate potential Plan amendments or other requests requiring policy judgment:

- Character of the adjacent neighborhood
- Zoning and uses on nearby properties
- Property suitability for uses allowed under current zoning
- Potential positive or negative impacts on adjacent properties or the county
- Effects on public utilities and facilities
- Effects on agricultural productivity, prime cropland, and surrounding working land
- Transportation access, roadway impacts, and compatibility with planned improvements
- Floodplain, drainage, groundwater, and other environmental constraints where applicable
- Airport-related height and land use limitations where applicable
- Consistency with the Preferred Development Corridor when relevant to the proposed use
- Duration of current uses on subject and adjacent properties
- Public health, safety, and welfare benefits compared to hardship if denied
- Conformance to goals and policies between existing plan and proposed change
- Professional staff recommendations

In evaluating development proposals, Perkins County should consider at minimum: compatibility with surrounding land uses; effects on agricultural productivity and prime cropland; transportation access and road impacts; public service demands; water supply and environmental constraints; floodplain and airport-related limitations where applicable; consistency with the Preferred Development Corridor where relevant; and consistency with the goals, objectives, and policies of this Comprehensive Plan.

Through this thoughtful implementation approach, our Comprehensive Plan becomes more than a document – it becomes our shared vision for a thriving Perkins County that honors our agricultural heritage while embracing new opportunities for growth and prosperity. Together, we will create a future worthy of our past, guided by the wisdom of those who came before us and inspired by the possibilities that lie ahead.

PERKINS COUNTY ZONING REGULATIONS
CHANGE LOG: 2000 ORIGINAL VS. FINAL

Purpose of this document: explain, in plain language, how the original 2000 Perkins County Zoning Regulations were reorganized, expanded, narrowed, or clarified in the FINAL. This is a comparison only between the two attached documents, not between drafts in between.

How to Read This Change Log

- "Original" means the Perkins County Zoning Regulations adopted in 2000, including the amendments reflected in that document.
- "Final" means Perkins County Zoning Ordinance Version 8.
- This is not a legal redline. Instead, it is a section-by-section crosswalk that tells a resident where a topic lived in 2000, where it lives now, and what changed in substance.
- When a topic from the original was split into multiple new places, the log says so explicitly.
- When the final ordinance adds a subject that had no real counterpart in the original, the log marks it as new.

EXECUTIVE SUMMARY OF THE LARGEST CHANGES

TOPIC	ORIGINAL	FINAL	WHAT CHANGED / WHY IT MATTERS
Overall structure	14 articles, no appendices	15 articles + 4 appendices	Reorganized and expanded. The new ordinance is much more detailed and easier to navigate by subject, but it is also much longer and more specific.
Base districts	AG-G and AG-T	AG-1, AG-2, RR	District system rebuilt. The county moved from two main agricultural districts to a three-district rural framework that separates primary agriculture, ag-residential transition areas, and rural residential areas.
Overlays	AA airport and FA flood districts inside Article 5	AP overlay in Article 6A; FP overlay in Article 6B	Pulled into standalone overlay articles. Airport and floodplain rules are now easier to locate and are treated as overlays on top of the base districts.
Supplemental rules	One article covered setbacks, fences, home occupations, towers, wind, landfill, and solar	Subjects broken into separate sections and articles	Major subject split. Instead of burying many unrelated topics in one article, the final code gives major topics their own dedicated sections.
Technology/energy uses	Wind and solar only; no BESS, crypto, data centers, or AI article	BESS, solar, wind, crypto, data centers, and AI each have their own standards	Large policy expansion. The county now regulates modern utility and technology uses directly instead of trying to fit them into older commercial or industrial language.
Administration	Shorter and more general	Detailed permitting, hearings, review timelines, enforcement, and appeals	Procedural expansion. Applicants, neighbors, the Planning Commission, and the County Board all have clearer procedural rules now.

ARTICLE 1 & ARTICLE 2 (ORIGINAL) → ARTICLE 1 + PART OF ARTICLE 6C (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 1 – General Provisions	Final Article 1 – General Provisions	Retained, expanded, and modernized	The opening article stayed in place but was expanded with new authority language, plan-consistency language, annexation/municipal notice language, and clearer statements about how the ordinance works.
Original §101 Title	Final §101 Title	Minor wording update	The title was modernized from "Zoning Regulation" to "Zoning Regulations," but the substance stayed the same.
Original §102 Jurisdiction	Final §102 Jurisdiction	Expanded	The final version still excludes incorporated municipalities and ETJ areas, but it adds a municipal notice requirement and a rule explaining what happens to active county permits and financial assurances if land is annexed.
Original §103 Purpose	Final §103 Purpose	Expanded and updated	The purpose section now expressly references the 2025–2035 Comprehensive Plan, Ogallala Aquifer protection, fiscal impacts, land-use compatibility, and regulation of modern energy and technology uses.
Original Article 2 §201 General	Final §105 Application of Regulations	Moved and clarified	The old statement that zoning rules are minimum regulations was moved into the general provisions article and clarified so overlay and use-specific standards control when more restrictive.
Original Article 2 §202 Zoning Effects Every Building and Use	Final §106 Zoning Affects Every Building and Use	Retained, restyled, and clarified	The same basic rule remains, but the final version breaks it into easier-to-read bullets and preserves the agricultural building exemption in plainer language.
Original §203 Setback and Lot Size Reduction Prohibited	Final §6C08 Setback and Lot Size Reduction Prohibited	Moved	This rule still exists, but it no longer sits in the opening chapters. It now lives in the supplemental-regulations article.
Original §204 Minimum Requirements	Final §107 Regulations Are Minimum Requirements	Retained and clarified	The final code keeps the minimum-requirements concept but adds a stronger conflict rule and expressly says compliance with zoning does not guarantee compliance with other laws.
Original §205 Disclaimer of Codes and County Liability	Final §108 Disclaimer of Liability	Retained and streamlined	The county still says zoning approval is not a building-code approval and does not create county liability. The final version simply says it more cleanly.

ARTICLE 3 (ORIGINAL) → ARTICLE 2 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 3 – Construction and Definitions	Final Article 2 – Definitions	Reorganized and expanded	Construction rules and definitions were combined into a more modern definitions article.
Original §301 Construction	Final §201 Construction Rules	Retained but broadened	The original rules on tense, singular/plural, and shall/may remain, but the final ordinance adds rules on specific-vs-general provisions, illustrative lists, and plain-meaning interpretation.
Original §302 General Terminology	Final §202 + scattered modernized usage	Mostly absorbed	Instead of a separate terminology section, the final code integrates key terms into the definitions article and the operative text.
Original §303 Definitions	Final §202 General Definitions	Substantially expanded	The final ordinance greatly expands the definition set. It adds modern terms such as BESS, data center, AI server facility, Preferred Development Corridor, baseline noise study, development agreement, road use agreement, and detailed small-scale/use classifications.
Original animal-unit table embedded in definition	Final Appendix B	Pulled into appendix	The old in-text animal-unit conversion list is now relocated to an appendix so it can be referenced consistently across livestock and CAFO regulation.

ARTICLE 4 (ORIGINAL) → ARTICLE 3 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 4 – Establishment and Designation of Districts	Final Article 3 – Zoning Districts	Retained but simplified	The final code keeps the district-establishment article but streamlines map-administration sections and updates district names.
Original §401 Planning Commission Recommendations	Final §300 Planning Commission Recommendations	Retained	The same concept remains: the Planning Commission recommends and the County Board acts.
Original §402 Districts Created	Final §301 Districts Established	Retitled and expanded	The district list is updated to the new AG-1, AG-2, RR, AP, and FP framework, and the final code adds explanatory text about the Preferred Development Corridor.
Original §§403–405 Official Zoning Map, map changes, and replacement	Final §302 Official Zoning Map	Consolidated	The final ordinance combines map-adoption, amendment logging, official-version status, and conflict rules into one cleaner section.
Original §406 Rules for Interpolation of District Boundaries	Final §302 Rules for Interpretation of District Boundaries	Moved into map section	The boundary-interpretation rules survive almost intact but are folded into the main map section.
Original §407 Annexation Rule	Final §102 Jurisdiction + §302	Moved and expanded	Annexation is no longer a short standalone district article section. It is now handled through the jurisdiction article and the map article, with added rules for existing county permits and financial assurances.

ARTICLE 5 (ORIGINAL) → ARTICLES 4, 5, 6, 6A, AND 6B (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original §501 AG-G General Agricultural District	Final Article 4 AG-1 Agricultural District	Partially retained and modernized	AG-1 carries forward the county's primary agricultural district but rewrites it into modern permitted-use, conditional-use, lot, setback, density, height, and agricultural-protection sections.
Original §502 AG-T Transitional Agricultural District	Final Article 5 AG-2 Agricultural-Residential District + Article 6 RR Rural Residential District	Split into two districts	The old transition district was divided. AG-2 now serves as the agricultural-residential transition district, while RR is a more purely rural residential district.
Original §503 AA Public Airport Approach District	Final Article 6A AP Airport Protection Overlay District	Rebuilt as overlay article	Airport protection is no longer just a district listing. It now has its own full overlay article with FAA Part 77 surfaces, height restrictions, notification rules, prohibited uses, and nonconforming treatment.
Original §504 FA Flood Hazard District	Final Article 6B FP Floodplain Overlay District	Rebuilt as overlay article	Flood-hazard rules are now a self-contained overlay article with map adoption, permit rules, SFHA standards, floodway standards, variance rules, and floodplain-administrator duties.
Original district tables and bulk standards	Final district-specific sections by article	Format changed	Instead of long all-in-one district sections, each new district is broken into intent, uses, lot rules, setbacks, density, and height sections so residents can locate requirements faster.

ARTICLE 6 (ORIGINAL) → ARTICLE 6C AND ARTICLES 7–8 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 6 – Supplemental District Regulations	Final Article 6C + multiple Article 7 sections + Article 8 permit sections	Broken apart by topic	This is one of the biggest structural changes. The old supplemental article carried many unrelated topics; the final ordinance separates them into dedicated subject articles.
Original §601 Application	Final §6C01 Application	Retained	The general statement that supplemental rules apply is kept, but now inside Article 6C.
Original §602 Setback Requirements	Final §6C02 Setback Requirements and Projections	Retained and expanded	General setback mechanics are still present, but projections and related details are clearer.
Original §603 Fences and Walls	No direct stand-alone counterpart	Reduced or absorbed	The original stand-alone fences-and-walls section does not appear as a separate final article heading. Fence concepts are now handled through general structure, setback, and use-specific rules instead of a dedicated supplemental section.
Original §604 Setback Exemptions	Final §6C02 projections language and district/use rules	Absorbed	Instead of a separate exemption section, the final code handles projections and exceptions more contextually.
Original §605 Division of Lots	Final §6C05 Division of Lots	Retained	The lot-division rule remains, but is placed with other supplemental standards.
Original §606 Conversions of Use	Final §6C06 Conversions of Use	Retained	The same topic remains and is easier to find.
Original §607 Accessory Uses	Distributed through Article 2 definitions and district standards	Absorbed into broader structure	Accessory-use rules are no longer carried by one short section. The final ordinance handles them through definitions, district use lists, and supplemental standards.
Original §608 Home Occupations and Home Based Businesses	Final §702 Home Occupations	Expanded	Home occupations moved out of supplemental rules and now have their own dedicated section with permitted businesses, prohibited uses, standards, and permit requirements.

Original §609 Towers	Final §708 Telecommunications Towers and Wireless Communications Facilities	Expanded and modernized	Tower rules grew into a full section with definitions, general requirements, application requirements, setbacks, illumination, finish, and abandonment.
Original §610 Adult Entertainment	Final §709 Adult Entertainment Establishments	Retained and modernized	Adult-use rules remain, but they are reformatted and modernized into a dedicated section.
Original §611 Small Wind Energy Systems	Final §704.6 Wind Energy Systems	Expanded and integrated	Small wind no longer sits in its own standalone supplemental section; it is part of a broader wind article that also addresses commercial and utility-scale wind.
Original §612 Commercial/Utility Grade Wind Energy Systems	Final §704.6 Wind Energy Systems + §704.7 + §704.8 + §704.9	Heavily expanded	The final code treats wind as a full regulatory program with definitions, prohibited areas, setbacks, notice, approval procedure, financial assurance, and enforcement.
Original §613 Sanitary Landfill Regulations	Final §710 Sanitary Landfill Regulations	Retained and reorganized	Landfill rules were kept as a separate topic and renumbered into the special regulations article.
Original §614 Solar Conversion Systems	Final §704.5 Solar Energy Systems + related portions of §704.7–704.9	Heavily expanded	Solar is no longer one short supplemental section. It now includes classifications, setbacks, screening, neighbor notice, financial assurance, and enforcement.

ARTICLE 7 (ORIGINAL) → ARTICLE 11 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 7 – Non-Conforming Uses	Final Article 11 – Nonconforming Uses, Structures, and Lots	Expanded and formalized	The final ordinance turns the old nonconforming chapter into a fuller article covering uses, structures, lots, signs, and written determinations.
Original §§701–704 intent/limits/hardship/ exceptions	Final §§1101–1102	Reorganized	The final code no longer uses the old hardship-and-exceptions format. Instead it separates continuation, restrictions, abandonment, amortization, and special categories of nonconforming uses.
Original §705 Non-Conforming Lots of Record	Final §1104 Nonconforming Lots	Expanded	Lot-of-record rules remain, but the final code adds merger rules and clearer development standards.
Original §§706–707 nonconforming use of land and buildings/land in combination	Final §§1102–1103	Reorganized and clarified	The final code separates nonconforming uses from nonconforming structures and gives each topic its own continuation, repair, alteration, and destruction rules.
Original §708 Repairs and Maintenance	Final §1103.2	Retained	Repair-and-maintenance concepts remain, but inside the nonconforming structures section.
Original §709 Uses Under Conditional Use	Final §1504.2 + Article 10 logic	Absorbed	The old statement about conditional uses not being treated as nonconforming is now handled through the final ordinance's permit and vested-rights framework rather than a standalone nonconforming section.
No original equivalent	Final §1105 Nonconforming Signs	New	The final code adds a separate rule set for nonconforming signs.
No original equivalent	Final §1106 Determination of Nonconforming Status	New	The final code creates a formal written process for residents to ask the Zoning Administrator to determine whether a use, lot, or structure is lawfully nonconforming.

ARTICLES 8 AND 9 (ORIGINAL) → ARTICLES 8, 9, AND 12 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 8 – Administration and Enforcement	Final Article 8 – Administration	Split	Administrative responsibilities were pulled apart from enforcement so procedures are easier to follow.
Original §801 Organization	Final §801 Zoning Administrator + Article 9 roles	Recast by actor	Instead of one short organization section, the final code states the Zoning Administrator's duties directly and separately details the Planning Commission and Board of Adjustment.
Original §802 Authorities	Final §§801.2, 902, 904.08, Article 10, Article 13, Article 14	Distributed	The long list of powers is no longer kept in one section. Powers are now assigned where they belong: administrator duties, planning duties, board-of-adjustment powers, amendment procedures, CUP procedures, and enforcement.
Original §803 Responsibilities	Final Article 8 and Article 14	Distributed and expanded	Responsibilities are more explicit and tied to concrete procedures.
Original §§804–807 zoning permit required, application, issuance limits, expiration	Final §802 Zoning Permits	Expanded and modernized	The final permit article is much more detailed. It includes permit triggers, pre-application conferences, completeness review, review/decision, permit conditions, validity, extensions, emergency permits, subdivision plats, and fees.
Original §808 Certificates of Zoning Compliance	Final §803 Certificates of Compliance	Retained and expanded	The same basic certificate concept remains, but the final code adds temporary certificates and record-keeping.
Original §809 Failure to Obtain Zoning Permit/Certificate	Final Article 14 Enforcement	Moved into enforcement article	Permit violations are now handled in a modernized enforcement article instead of at the end of the administration article.
Original Article 9 – Board of Adjustment	Final §904 Board of Adjustment + Article 12 Variances	Expanded	Board-of-adjustment rules remain, but the final code separates board structure/powers from the detailed variance standards and procedure.
Original §§901–906 BOA setup, terms, officers, secretary, records, quorum	Final §§904.01–904.07	Retained and expanded	These governance basics survive but are more detailed.
Original §907 Powers and Duties	Final §904.08 and Article 12	Split	The final code separates general BOA powers from the detailed rules governing variances.
Original §§908–910 public hearings and appeals	Final §§904.09–904.14	Retained and modernized	Appeal and hearing rules remain but with clearer procedure and judicial-review language.
No original equivalent	Final Article 12 – Variances	New standalone article	In 2000, variance concepts largely lived under the Board of Adjustment chapter. In the final code, variances get their own article with standards, prohibited variances, procedures, conditions, expiration, and judicial review.

ARTICLE 10 (ORIGINAL) → ARTICLE 10 (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 10 – Conditional Uses	Final Article 10 – Conditional Use Permits	Retained but greatly expanded	Conditional uses remain their own article, but the final code is far more procedural and specific.
Original §1001 General Powers	Final §1001 Purpose + §1006	Reorganized	General authority was rewritten into a purpose statement and a separate conditions-of-approval section.
Original §1002 Application Requirements	Final §1003 Application Requirements	Retained and expanded	The application section is more detailed and split into general and specific application requirements.
Original §1003 Referral to Planning Commission	Final §1004 Review Process	Retained within broader process	Referral is now embedded in a step-by-step review process.
Original §§1004–1007 public notice and hearings	Final §§1004.2–1004.6	Retained and modernized	Public notice and hearing procedures still exist, but the final article clearly separates staff report, planning hearing, recommendation, county-board action, and joint hearings.
Original §1008 Requirements Governing Review and Approval of Conditional Uses	Final §1005 Standards for Approval	Expanded	The final code spells out review criteria such as plan consistency, agricultural land protection, groundwater protection, compatibility, infrastructure adequacy, environmental protection, traffic, financial assurance, and mitigation.
Original §1009 Conditions, Safeguards and Limitations	Final §1006 Conditions of Approval	Expanded	The final code distinguishes required conditions from discretionary conditions and says conditions run with the land.
Original §1010 Expiration of Conditional Use Authorizations	Final §§1007–1009	Expanded	The final code now covers not only expiration but also transfer, amendment, revocation, and abandonment.

ARTICLES 11-14 (ORIGINAL) → ARTICLES 13-15 AND APPENDIX A (FINAL)

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
Original Article 11 – Amendments	Final Article 13 – Amendments	Retained and expanded	Amendments still have their own article, but the final code adds purpose, types of amendments, who may initiate, completeness review, reapplication limits, standards, agency coordination, protest rules, and comprehensive plan amendments.
Original Article 12 – Complaints, Violations, Remedies, Penalties	Final Article 14 – Enforcement	Expanded and modernized	Enforcement is no longer just three short sections. The final code adds investigation, notice, voluntary compliance agreements, stop work orders, enforcement actions, interagency coordination, general and enhanced penalties, attorney fees, and criminal penalties.
Original Article 13 – Schedule of Fees	Final Appendix A – Fees	Moved to appendix and expanded	Fees are no longer just a short article. The final code creates a detailed fee appendix with general administrative fees, CUP fees, variances and appeals, amendments, renewable energy/technology permit fees, fire mitigation fund contributions, and annual inspection fees.
Original Article 14 – Legal Status Provisions	Final Article 15 – Legal Provisions	Expanded	Severability and effective-date concepts remain, but the final code adds broader relationship-to-other-regulations language, interpretation rules, vested-rights rules, and periodic review requirements.
Original §1401 Separability	Final §1501 Severability	Retained and expanded	The final code adds general severability plus specific-use and utility-scale severability clauses.
Original §1402 Purpose of Catch Heads	No direct final counterpart	Dropped as stand-alone section	The final code does not carry forward a dedicated section explaining that headings do not control. Instead, heading and interpretation principles are handled in the construction and interpretation articles.
Original §1403 Repeal of Conflicting Resolutions	Final §1502 Relationship to Other Regulations	Modernized and broadened	The final code handles conflicts through a more modern “relationship to other regulations” section rather than a simple repeal statement.
Original §1404 Effective Date	Final §1506 Effective Date	Retained	The effective-date concept remains.

NEW SUBJECT MATTER IN VERSION 8 (FINAL) WITH NO REAL 2000 COUNTERPART

ORIGINAL	FINAL	CHANGE TYPE	RESIDENT-FACING EXPLANATION
No original counterpart	Final Article 6 RR Rural Residential District	New district	The original ordinance did not have a standalone RR district. Rural residential land was handled through AG-T or other older district logic.
No original counterpart	Final Article 6C	New modern supplemental article	The final ordinance creates a smaller, cleaner supplemental article after moving major topics out to stand-alone sections.
No original counterpart	Final §701 CAFOs	Completely rebuilt livestock-intensity regulation	The original ordinance regulated confined and intensive feeding uses inside district sections and definitions. The final code creates a full dedicated CAFO section with classifications, distances, operational standards, financial assurance, neighbor protection, and enforcement.
No original counterpart	Final §703 Signs	New stand-alone sign code	The original ordinance did not have a dedicated sign article comparable to the final one.
No original counterpart	Final §704.4 BESS	New	Battery storage did not appear in the original code.
No original counterpart	Final §705 Cryptocurrency Mining	New	The original code had no digital-mining standards.
No original counterpart	Final §706 Data Center Facilities	New	The original code had no dedicated data center standards.
No original counterpart	Final §707 AI Server Facilities	New	The original code had no AI-specific standards.
No original counterpart	Final Appendices B, C, and D	New	The final code adds technical appendices to centralize animal-unit conversions, CAFO separation distances, and renewable-energy quick reference tables.

Resident-Focused Glossary of Practical Effects

- If you own farm ground: the final ordinance is much more explicit about where intensive agricultural uses, utility-scale projects, and technology uses may locate, and what setbacks, notice rules, and review standards apply.
- If you live near an existing use: the final ordinance gives neighbors more written standards to point to, especially for CAFOs, wind, solar, battery storage, mining, data centers, and AI facilities.
- If you are applying for a permit: the final ordinance gives the county and the public a more formal application, review, conditions, and enforcement system than the original code.
- If you are trying to track an old topic: use the article-by-article crosswalk above to find where the old rule moved.

Perkins County Zoning Regulations
Likely Public Questions and Plain-Language Responses

Prepared as a hearing and meeting reference for Perkins County zoning discussions.

How to use this document:
Each question is written the way it is likely to be asked in a public meeting. Each response is written in plain language so it can be used as a speaking script or adapted on the spot.

Question and Response Guide

Q1. Why did the County rewrite the zoning regulations?

Because the old regulations were written in 2000 and then amended over time. The County wanted one current document that better fits today's land uses, today's legal requirements, and today's local concerns about agriculture, housing, floodplain protection, energy facilities, and newer technological type uses.

Q2. Does this ordinance change how ordinary farms operate?

For most ordinary agricultural operations, no. Traditional agriculture remains the backbone of the County's zoning system. The biggest changes are aimed at larger or more intensive uses such as CAFOs, utility-scale energy systems, cryptocurrency mining, data centers, and AI facilities.

Q3. Can I still build normal farm buildings without a zoning permit?

The agricultural building exemption remains in the ordinance for qualifying non-residential agricultural buildings under the applicable Nebraska statute. However, that exemption does not excuse a non-agricultural use inside the building from zoning rules.

Q4. Why are there now AG-1, AG-2, and RR districts instead of the old district names?

The new district names make it easier to tell the difference between land that is primarily agricultural, land that is transitional between agriculture and residential living, and land that is primarily rural residential near communities.

Q5. Can a utility-scale solar project be approved anywhere in the County?

No. The ordinance does not allow utility-scale solar everywhere. It is limited by district, setbacks, permit requirements, and soil restrictions, and only one active utility-scale solar installation may be authorized countywide at a time.

Q6. Can a utility-scale battery project be approved anywhere in the County?

No. Utility-scale BESS is regulated much like utility-scale solar: it is limited by district, notice requirements, setbacks, safety standards, and financial assurance, and only one active utility-scale BESS installation may be authorized countywide at a time.

Q7. Can the County approve utility-scale wind turbines under this ordinance?

No. Utility-scale wind is prohibited under the final regulations.

Q8. What does it mean that only one active utility-scale project of each type is allowed at a time?

It means the County is not opening the door to unlimited utility-scale projects. Instead, it is allowing only one active authorization at a time for each allowed utility-scale category so the County can evaluate actual impacts before another one of the same type is considered.

Q9. What are Class III+ soils, and why does that matter?

The County's approach is to keep the most intensive utility-scale projects off prime agricultural soils, meaning Class I and Class II soils. The Class III+ concept is intended to focus those projects on lower-priority soils rather than the County's best farmland.

Q10. Can a cryptocurrency mining project or data center show up next to my house without notice?

Not if it falls into the larger regulated categories. The ordinance includes permit procedures, notice requirements, setbacks, hearings for larger uses, and conditions of approval. Those uses do not become automatic just because they are mentioned in the ordinance.

Q11. What is the Preferred Development Corridor?

It is a planning-location tool tied mainly to certain high-intensity technology uses, especially larger data center and AI-type facilities. It is not a separate zoning district and it does not mean every kind of development is automatically allowed there.

Q12. What protection do neighbors have if a project is proposed nearby?

The ordinance gives neighbors several protections: notice, public-hearing procedures for larger uses, setbacks, permit conditions, enforcement authority, decommissioning security, and in some cases road use agreements and fire mitigation funding requirements.

Q13. What happens if a project damages roads during construction?

The ordinance allows the County to require road use agreements and place responsibility on the operator for project-related road damage and related obligations.

Q14. What happens if a project shuts down and leaves equipment behind?

The ordinance requires decommissioning and financial assurance for the major regulated facility types so the County has a mechanism to require cleanup and site restoration.

Q15. Can the Board of Adjustment just grant a variance and ignore these rules?

Not for the major protected standards. The ordinance specifically says that several important standards, including utility-scale prohibitions and key facility restrictions, cannot be waived by variance.

Q16. Does this ordinance make housing harder to build in the County?

It changes the district framework and clarifies lot, setback, and use rules, but it is not written as an anti-housing document. The new RR district is intended to better fit rural residential development near communities, while AG-1 and AG-2 keep stronger agricultural protections.

Q17. Why are there so many more pages than the old ordinance had?

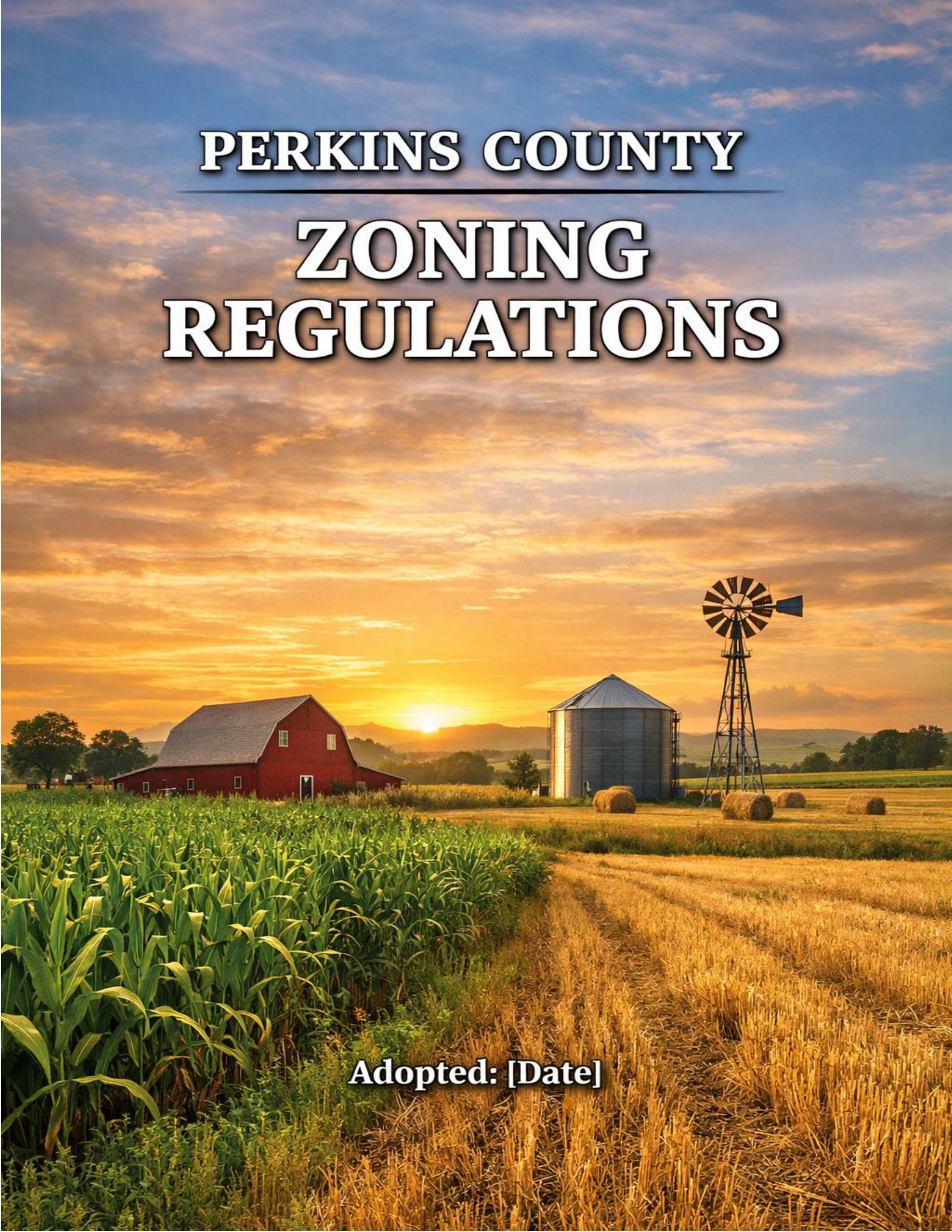
Because the final ordinance separates topics that used to be combined or only lightly addressed. It now has dedicated sections for CAFOs, signs, BESS, solar, wind, cryptocurrency mining, data centers, AI facilities, variances, enforcement, and appendices.

Q18. If I already have a lawful use, does the new ordinance automatically shut me down?

No. The ordinance includes a nonconforming-use and vested-rights framework so lawfully established uses are not automatically treated as illegal just because the County adopted a new code.

PERKINS COUNTY

ZONING REGULATIONS



Adopted: [Date]

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ARTICLE 1 – GENERAL PROVISIONS

SECTION 101 – TITLE

These zoning regulations shall be known and may be cited as the *Zoning Regulations of Perkins County, Nebraska*.

SECTION 102 – JURISDICTION

These Regulations apply to all areas within the unincorporated boundaries of Perkins County, Nebraska, except:

- Land currently within, or subsequently annexed into, the corporate limits of any incorporated municipality within the County; and
- Land within the extraterritorial zoning jurisdiction of any incorporated municipality as defined on the Official Zoning Map and as established under Nebraska Revised Statutes §§16-901 and 17-1001 as amended

When an incorporated municipality proposes to adopt or amend zoning regulations affecting its extraterritorial jurisdiction in Perkins County, the municipality shall provide thirty (30) days written notice to the Perkins County Board of Commissioners as required by Nebraska Revised Statutes §16-901(5), as amended by LB 614 (2025). The County Board may submit comments or recommendations during this period.

When land subject to an active County conditional use permit, financial assurance instrument, or decommissioning obligation under these regulations is annexed by an incorporated municipality, the County shall notify the annexing municipality of all active permit conditions and financial assurance instruments. The annexing municipality shall be encouraged to adopt successor regulations maintaining equivalent protections, but County jurisdiction over the active permit ceases upon the effective date of annexation. Active decommissioning bonds and financial assurance instruments shall remain enforceable by the County for the duration of their required terms regardless of annexation status.

SECTION 103 – PURPOSE

In accordance with Nebraska Revised Statutes Chapter Twenty-Three (23), as amended, these Regulations are adopted to promote the health, safety, convenience, order, prosperity, and general welfare of current and future residents of Perkins County. They are designed to implement the *Perkins County Comprehensive Plan 2025-2035* and to preserve the County's unique agricultural heritage, customs, and rural character. Specific objectives include, but are not limited to:

- Guiding the development of both agricultural and non-agricultural land uses in a manner consistent with the goals and policies of the Perkins County Comprehensive Plan 2025-2035
- Reducing congestion on streets and roads and minimizing the overuse of roadway infrastructure by directing intensive development to appropriate locations
- Promoting safety from fire, flood, and other natural and man-made hazards
- Reducing risks to people, property, and natural resources from stormwater, floodwaters, and hazardous materials
- Ensuring adequate light, air, and visual character consistent with rural Perkins County
- Preventing overcrowding, scattered development, and land use conflicts between agricultural and non-agricultural uses

- Supporting balanced land use and development to meet the needs of transportation, water management, sanitation, recreation, agriculture, and public services
- Protecting and preserving the Ogallala Aquifer and all groundwater resources underlying Perkins County as a finite and irreplaceable resource upon which the agricultural economy and community depend
- Safeguarding the County's property tax base and supporting the long-term fiscal health of County government
- Preventing blight, property value decline, and incompatible land uses that diminish the quality of life for Perkins County residents
- Promoting efficient public expenditures by directing development to locations with adequate infrastructure capacity
- Supporting agriculture as the primary economic driver of Perkins County and recognizing the right-to-farm as a foundational principle of these regulations consistent with Section 409
- Supporting economic diversification through appropriate commercial, industrial, and technology-based development in compatible locations consistent with the Preferred Development Corridor framework of the Comprehensive Plan
- Providing clear and consistent regulatory standards for battery energy storage systems, solar energy systems, wind energy systems, cryptocurrency mining operations, data center facilities, and artificial intelligence server facilities that protect neighboring properties, natural resources, and rural character while accommodating appropriate economic development
- Encouraging the most appropriate use of land in the County consistent with its natural resources, infrastructure capacity, and agricultural character
- Preserving and enhancing historic buildings, places, and districts

SECTION 104 – AUTHORITY

These regulations are adopted under the authority of Nebraska Revised Statutes §§23-114 through 23-114.05, 23-168.01 through 23-168.04, 23-172 through 23-174, 23-174.02, 23-373, and 23-376, and in relation to renewable energy net metering, Nebraska Revised Statutes §§70-2001 through 70-2005, to implement the goals and policies of the Perkins County Comprehensive Plan 2025-2035. The Floodplain Overlay District regulations of Article 6B are additionally adopted pursuant to Nebraska Revised Statutes §23-114(5), the National Flood Insurance Reform Act (42 U.S.C. §4001 et seq.), and 44 CFR Part 60. The Airport Protection Overlay District regulations of Article 6A are adopted in coordination with 14 CFR Part 77. All zoning decisions, including conditional uses, variances, and amendments, shall be interpreted and applied in a manner consistent with the adopted Perkins County Comprehensive Plan 2025-2035 as required by Nebraska Revised Statutes §23-114.03.

SECTION 105 – APPLICATION OF REGULATIONS

These regulations apply uniformly to all classes and kinds of structures and land uses within the zoning districts established in Article 3. The standards set forth in each zoning district are minimum requirements. Where a use-specific standard or an overlay district standard in Articles 6A or 6B is more restrictive than the general district standard, the more restrictive provision controls.

SECTION 106 – ZONING AFFECTS EVERY BUILDING AND USE

No building, structure, or land may be used, occupied, erected, constructed, reconstructed, enlarged, moved, or structurally altered except in conformity with these regulations for the zoning district in which it is located. This applies to:

- Height and bulk of buildings and structures
- Percentage of lot area that may be covered
- Required front, side, and rear setbacks
- All permitted, accessory, and conditional uses as established in the applicable district

Agricultural building exemption: Non-residential agricultural buildings less than one hundred thirty-two (132) feet in height are exempt from zoning permit requirements under Nebraska Revised Statutes §23-114.03 as provided in Sections 402 and 1103.5. Non-agricultural uses within such buildings remain subject to all applicable standards of these regulations.

SECTION 107 – REGULATIONS ARE MINIMUM REQUIREMENTS

All standards in these regulations are minimum requirements. Where these regulations impose a greater restriction than any other applicable law, ordinance, or regulation, the more restrictive standard controls. Compliance with these regulations does not guarantee compliance with any other applicable federal, state, or local requirement.

SECTION 108 – DISCLAIMER OF LIABILITY

These regulations govern land use only. They do not constitute or imply any building, plumbing, electrical, or structural code. Permits and certificates issued under these regulations confirm only that a proposed use or structure is consistent with applicable land use standards. Perkins County is not liable for any design or construction defect in any structure for which a permit or certificate has been issued, and assumes no responsibility for compliance with any federal, state, or other technical code or regulation.

ARTICLE 2 – DEFINITIONS

SECTION 201 – CONSTRUCTION RULES

The following rules of construction apply to all provisions of these regulations and shall be read in conjunction with the interpretation provisions of Section 1503:

- Words used in the present tense include the future tense; singular terms include the plural and vice versa
- **Shall** is mandatory; **may** is permissive; **should** is directory but not mandatory
- All references to gender shall be interpreted as gender-neutral
- Where a specific definition is provided in this Section or in any use-specific section of these regulations, the specific definition shall control over ordinary usage
- Where a general provision and a specific provision address the same subject, the specific provision shall control
- Lists of examples introduced by phrases such as "including but not limited to" or "such as" are illustrative and not exhaustive; lists not preceded by such language are exhaustive
- Terms not defined in these regulations shall have their plain and ordinary meaning as commonly understood in the context of land use planning and zoning

For complete interpretation rules and the process for resolving ambiguities, see Section 1503.

SECTION 202 – GENERAL DEFINITIONS

ABANDONMENT: The discontinuation of a land use or structure for twelve (12) consecutive months or more without a clear intent to resume operation, unless a different abandonment standard is established in the applicable use-specific section of these regulations. For uses regulated under Sections 701 through 707, the abandonment standards of those sections shall control over this general definition. See also Sections 701.7, 704.4, 704.5, 704.6, 705.4, the Financial Assurance subsection of Section 706, and 707.11 for use-specific abandonment standards.

ABUT: Any situation where a lot or parcel borders directly on another lot or parcel or is separated from an adjoining lot or parcel by a public road right-of-way.

ACCESSORY BUILDING: A secondary building on the same lot as the principal structure, used for activities typically associated with the principal use.

ACCESSORY DWELLING UNIT: A secondary residential dwelling unit located on the same lot as a single-family dwelling, which may be attached or detached and includes independent living, sleeping, cooking, and sanitation facilities.

ACCESSORY USE: A subordinate use of land or a building that is customarily incidental to and located on the same lot as the principal use.

ACRE: A measure of land area equal to forty-three thousand five hundred sixty (43,560) square feet.

ADULT ENTERTAINMENT: Commercial services primarily involving the depiction of nudity or sexually explicit conduct intended for adult audiences.

AEROBIC DIGESTION PROCESS: Any process for digestion of waste in which the waste is digested using free oxygen.

AGRITOURISM: Tourism activities conducted on working farms or ranches, including farm stays, seasonal festivals, corn mazes, and agricultural education.

AGRICULTURAL BUILDING: A structure intended for agricultural use, including storage of equipment, crops, or livestock. Does not include dwellings or public access buildings. See Nebraska Revised Statutes §23-114.03 for the farm building exemption applicable to qualifying agricultural buildings.

AGRICULTURAL PROCESSING: The transformation of raw agricultural products into marketable goods, such as milling, meatpacking, or dairy processing.

AGRICULTURAL SERVICES: Businesses offering services to farms and agricultural operations, including equipment sales, feed stores, and consulting.

AGRICULTURAL USE: The use of land for growing crops or raising livestock and poultry, typically on parcels of twenty (20) acres or more generating at least one thousand dollars ($1,000) annually, excluding Concentrated Animal Feeding Operations as defined herein.

AI SERVER FACILITY: A facility whose primary purpose is to host, operate, or support artificial intelligence workloads, machine learning model training or inference, large language model operations, neural network processing, or other advanced computational processes requiring specialized high-density computing hardware – including graphics processing units (GPUs), tensor processing units (TPUs), or application-specific integrated circuits (ASICs) – and associated power, cooling, and network infrastructure. AI Server Facilities are distinguished from general Data Center Facilities by power densities typically exceeding twenty (20) kilowatts per rack and by purpose-built AI accelerator hardware configurations. Facilities hosting both general data center and AI workloads shall be classified as AI Server Facilities if more than fifty percent (50%) of installed IT load capacity is dedicated to AI or machine learning workloads. See Section 707.

AIRCRAFT: A device used or designed for air travel, including airplanes, helicopters, gliders, and drones.

AIRPORT: A site equipped for aircraft takeoffs and landings, and may include runways, hangars, terminals, and support facilities.

ALTERATION: A structural change to a building's support elements, roofline, or exterior walls.

ANAEROBIC DIGESTION: Any process for digestion of waste in which the waste is digested where free oxygen is not available.

ANIMAL BOARDING: A commercial facility that temporarily houses and cares for domestic animals, such as kennels, veterinary clinics, and animal shelters.

ANIMAL UNIT: A standard measure used to calculate livestock manure output, roughly equivalent to one thousand two hundred (1,200) pounds of live animal weight. See Appendix B for the complete Animal Unit Conversion Table and Appendix B footnotes for calculation methodology.

ANIMAL WASTE: Any animal excrement, animal carcass, feed waste, animal wastewater, or other waste associated with the care and feeding of animals.

ANIMAL WASTEWATER: Any liquid, including rainfall, which comes into contact with any animal excrement, manure, litter, bedding, or other raw material or intermediate or final matter or product used in or resulting from the production of animals or from products directly or indirectly used in any Waste Handling Facility, or any spillage or overflow from animal watering systems, or any liquid used in washing, cleaning, or flushing pens, barns, or manure pits, or any liquid used in washing or spraying to clean animals, or any liquid used for dust control in a confined or intensive animal feeding use.

ANTENNA: A device or system used for sending or receiving electromagnetic signals.

AQUACULTURE: The managed raising and harvesting of aquatic organisms, including fish, shrimp, and aquatic plants.

ARTERIAL ROAD: A high-capacity road that connects communities and is usually maintained by state or federal transportation agencies.

BASELINE NOISE STUDY: A pre-construction study measuring existing ambient noise levels at all non-participating property lines and dwellings within the applicable notification radius, conducted by a qualified acoustical engineer, used to establish the noise environment against which operational compliance is measured. Required for specific use classifications as established in Sections 704 through 707.

BASEMENT: A building space wholly or partially underground and having more than one-half (1/2) of its height, measured from its floor to the top of its average wall height, below the average elevation of the finished grade of the soil around that space.

BATTERY ENERGY STORAGE SYSTEM (BESS): A device or system of devices that stores electrical energy for later use, including but not limited to lithium-ion, flow battery, and similar electrochemical storage technologies. Excludes single automotive batteries, electric vehicle charging systems, and uninterruptible power supply (UPS) units with less than one (1) kWh of storage capacity. Classified by storage capacity into Residential, Small Commercial, Medium Commercial, and Utility-Scale as defined in Section 704.4.

BED AND BREAKFAST: A private home offering overnight lodging and breakfast to guests, typically operated by the resident.

BOARD OF ADJUSTMENT: The five-member body established under Section 904 that hears appeals from Zoning Administrator decisions and grants variances from the dimensional provisions of these regulations.

BUILDABLE AREA: The portion of a lot that remains for development after applying all required setbacks.

BUILDING: A structure with a roof and walls, intended to shelter people, animals, or property.

BUILDING HEIGHT: The vertical distance from the average finished grade at the base of the structure to the highest point of the building, excluding architectural features such as spires, chimneys, or antenna masts that are not part of the habitable or operational structure.

CAFO: See Concentrated Animal Feeding Operation.

CAMPGROUND: An area used for temporary camping accommodations, including sites for tents, recreational vehicles, and associated facilities.

CAMPING UNIT: Any vehicle, trailer, tent, or other movable shelter used for camping purposes.

CEMETERY: Land designated for the burial of the deceased, including structures for ceremonies and grounds maintenance.

CHURCH: A building used primarily for religious services and associated activities. For purposes of setback calculations throughout these regulations, "church" includes houses of worship of all faiths and denominations.

CLASS III+: Soils mapped by the Natural Resources Conservation Service (NRCS) as capability Class III or higher-numbered classes, including Class IV and other non-prime agricultural soils, but excluding Class I and Class II soils.

COMMERCIAL USE: Activities conducted for profit involving the sale, rental, or distribution of goods or services.

COMPATIBLE USE: A land use of one type that is suitable for direct association, location near, or abutting a land use of a different type because of its consistency with the intent of the zoning district in which those uses are located, because of similar or comparable buildings and activities, and because neither use will diminish the value and enjoyment of the other.

COMPOSTING (AEROBIC): The natural process of decomposing vegetative refuse, manure, and other naturally degradable materials using free oxygen.

COMPOSTING (ANAEROBIC): The natural process of decomposing vegetative refuse, manure, and other naturally degradable materials in large piles where free oxygen is not available.

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO): A livestock operation exceeding one thousand (1,000) animal units as calculated using the conversion factors in Appendix B, that requires state permitting under NDWEE Title 130 and is subject to the enhanced regulatory standards of Section 701. Classified by animal unit count into Class I through Class V as defined in Section 701.1. Operations between three hundred one (301) and one thousand (1,000) animal units are classified as Small-Scale Operations under Section 202 (see SMALL-SCALE USE definition, subsection (1)) and are not subject to the full CAFO conditional use permit requirements of Section 701; however, such operations remain subject to Nebraska Title 130 Livestock Waste Control Regulations inspection requirements administered by NDWEE, which apply independently of this county zoning classification.

CONDITIONAL USE: A land use that may be appropriate within a zoning district under specific conditions approved through the conditional use permit process of Article 10.

CONDITIONAL USE PERMIT: A permit issued by the Perkins County Board of Commissioners, upon recommendation of the Planning Commission following a public hearing, that authorizes a specific use of property subject to conditions designed to ensure compatibility with surrounding uses and compliance with applicable performance standards. The Planning Commission recommends; the County Board issues. See Article 10.

CONSERVATION EASEMENT: A voluntary legal agreement that limits land development to protect conservation values, typically held by a land trust or public agency.

CONTRACTOR'S SHOP: A facility for a licensed contractor to store and maintain construction equipment and materials.

COUNTY FIRE MITIGATION FUND: A fund established by the Perkins County Board of Commissioners to receive contributions from operators of technology facilities and renewable energy installations as established in Appendix A, used to fund specialized training and equipment for local fire departments to respond to incidents involving battery systems, immersion cooling fluids, high-density computing fires, and other hazards associated with uses regulated under Sections 704 through 707.

CRYPTOCURRENCY MINING OPERATION: The use of specialized computing hardware to perform the computational processes required to validate transactions on a blockchain network and earn cryptocurrency rewards, whether as a primary or secondary business activity. Classified by electrical capacity into Home-Based Mining, Small Commercial Mining, Medium Commercial Mining, and Utility-Scale Mining as defined in Section 705.1.

CURTAILMENT: The temporary reduction or cessation of energy generation, storage, or computing activity at the direction of the serving electric utility, grid operator, or applicable Natural Resources District during periods of grid emergency, drought-related irrigation peak demand, or system instability.

DATA CENTER FACILITY: A facility whose primary purpose is to house, operate, and maintain computing infrastructure including servers, storage systems, and networking equipment for the purpose of processing, storing, or transmitting data for commercial purposes. Distinguished from AI Server Facilities by the general-purpose nature of the computing workload; facilities where more than fifty percent (50%) of installed IT load capacity is dedicated to AI or machine learning workloads shall be classified under Section 707. Classified by IT load capacity into Small Commercial, Medium Commercial, and Utility-Scale as defined in Section 706.1.

DAYCARE FACILITY: A licensed establishment providing supervised care for children or adults during part of a twenty-four (24) hour day.

DECOMMISSIONING: The complete removal of all above-ground structures, below-ground foundations and infrastructure to a minimum of four (4) feet below grade, electrical conduit, and associated equipment, followed by full restoration of the site to pre-construction agricultural condition including re-grading and reseeding with native or agronomic vegetation appropriate to the surrounding land use. Use-specific decommissioning requirements are established in Sections 701 through 707. See also Article 11.

DENSITY: The number of dwelling units per unit of land area, typically expressed as units per acre.

DEVELOPED AREA: An area of land, consisting of one or more parcels or lots, which front(s) on one (1) side of a road between two (2) intersecting streets or roads where such intersecting streets or roads are less than one thousand (1,000) feet apart or, in the absence of any intersecting street, a distance of one hundred fifty (150) feet on either or both sides of the boundaries of the lot on which building development is proposed, whereon at least fifty-one percent (51%) of such parcels or lots on either or both sides are developed with buildings.

DEVELOPMENT AGREEMENT: A written agreement between Perkins County and an applicant for a Utility-Scale Cryptocurrency Mining Operation, Utility-Scale Data Center, or Utility-Scale AI Facility that establishes road use obligations, utility upgrade cost sharing, fire mitigation fund contributions, water use and curtailment commitments where applicable, decommissioning security coordination, local hiring commitments where negotiated, and other project-specific terms as conditions of conditional use permit approval. Development agreements shall be recorded with the County Register of Deeds.

DRIVE-THROUGH FACILITY: A business designed to serve customers while they remain in their vehicles.

DWELLING: A structure intended for residential occupancy.

DWELLING, MULTI-FAMILY: A building designed for occupancy by three or more families living independently.

DWELLING, SINGLE-FAMILY: A detached building designed for occupancy by one family.

DWELLING, TWO-FAMILY (DUPLEX): A building designed for occupancy by two separate families.

DWELLING UNIT: A self-contained living space with areas for cooking, sleeping, and sanitation.

EASEMENT: A legal right to use another person's land for a specific purpose.

EXTRACTION, MINERAL: The removal of natural mineral resources such as sand, gravel, or stone from the earth.

FAMILY: One or more individuals related by blood, marriage, or adoption, or a group of up to five (5) unrelated persons living as a single housekeeping unit.

FARM: An agricultural operation on twenty (20) or more acres that produces at least one thousand dollars ($1,000) annually in agricultural products.

FARM MARKET: A retail outlet operated by farmers or producers to sell agricultural goods, crafts, or related items.

FARMSTEAD: The grouping of residential and agricultural buildings on a farm, including the farmhouse and outbuildings.

FEEDLOT: A confined area where livestock are intensively fed, typically without vegetation.

FENCE: A structure used to enclose, screen, or separate areas of land.

FLOOD: A temporary overflow of water onto land that is normally dry.

FLOODPLAIN: Land identified as having a one percent (1%) annual chance of flooding, as designated by FEMA or local authorities. See Article 6B.

FLOODWAY: The channel and adjacent land needed to carry and discharge a base flood without cumulatively increasing the water surface elevation by more than one (1) foot. See Article 6B, Section 6B06 (Floodway Standards), and the Floodway definition in Section 6B03.

FLOOR AREA: The total enclosed area of a building, measured at floor level.

GARAGE, PRIVATE: An accessory building used to store motor vehicles owned or operated by the occupants of the property.

GOLF COURSE: An area developed for playing golf, including greens, fairways, tees, hazards, and supporting facilities.

GROUP HOME: A residential facility housing up to eight (8) individuals with disabilities or special needs, providing care and supervision in a family-like environment.

HAZARDOUS MATERIALS: Substances defined by federal or state law as posing risks to health, safety, or the environment, including substances listed under CERCLA, RCRA, and NDWEE regulations.

HOME OCCUPATION: A business activity conducted by a resident within a principal dwelling or accessory structure on the same lot that is secondary and incidental to the residential use of the property. Home occupations are subject to the standards of Section 702. Home-Based Mining operations regulated under Section 705 are not home occupations for purposes of Section 702 but are subject to Section 705 standards.

HOTEL/MOTEL: A building offering short-term lodging for guests, with individual rooms or suites rented for compensation.

IMPACT EASEMENT: An easement or deed restriction, recorded in the office of the Perkins County Register of Deeds, which runs with the land, which is granted to the owner of a Concentrated Animal Feeding Operation or other use for the period of time that such use shall exist, by the owners of adjoining or neighboring real property, in which it is mutually agreed by the grantor and grantee that the grantor shall hold the grantee harmless from odor, smoke, dust, or other legal impacts associated with such use on the grantor's property when such use is operated in accordance with the terms of such easement or deed restriction. Impact easements granted to the owner of a CAFO modify the application of separation distances established in Section 701 and Appendix C with respect to the granting landowner's dwelling, as specified in those provisions.

INCOMPATIBLE USE: A land use of one type that is unsuitable for direct association or location near or abutting a land use of a different type because of its inconsistency with the intent of the zoning district in which such uses are located, because of differences in use activities, and because such use would diminish the value and enjoyment of the other.

INDUSTRIAL USE: The use of land or buildings for manufacturing, processing, assembling, or packaging of goods or materials, or for large-scale data processing, cryptocurrency mining, or energy production operations.

IT LOAD CAPACITY: The maximum rated electrical power draw of all installed computing, storage, and networking equipment within a Data Center Facility or AI Server Facility, measured in kilowatts (kW) or megawatts (MW), exclusive of mechanical, electrical, and lighting infrastructure.

JUNKYARD: A site used for the collection, storage, or resale of waste, scrap materials, or inoperable vehicles.

KENNEL: A facility for boarding, breeding, or caring for dogs or cats, excluding facilities operated solely as veterinary hospitals.

LIVESTOCK: Domesticated animals raised for agricultural purposes, including but not limited to cattle, horses, sheep, goats, swine, and poultry.

LOAD CURTAILMENT: The temporary reduction or cessation of electrical demand from a specific facility at the request of the serving electric utility or grid operator during periods of system stress, peak demand, or grid emergency. Required for specific facility classifications under Sections 704 through 707.

LOT: A parcel of land under single ownership, with frontage on a public road and not divided by a public street.

LOT AREA: The total horizontal land area within the lot boundaries, excluding public rights-of-way.

LOT COVERAGE: The percentage of a lot occupied by all buildings and structures.

LOT DEPTH: The average distance between the front and rear lot lines, measured horizontally.

LOT LINE: The boundary defining the edges of a lot.

LOT WIDTH: The horizontal distance between side lot lines, measured at the required front setback.

MANUFACTURED HOME: A factory-built dwelling certified to HUD standards, intended for permanent occupancy.

MOBILE HOME: A transportable dwelling unit built on a permanent chassis, designed for placement on a non-permanent foundation.

MOBILE HOME PARK: A site designed for the placement of multiple manufactured or mobile homes for residential use.

MODULAR HOME: A manufactured housing unit as defined in Nebraska Revised Statutes §71-1557, which bears the seal of the Nebraska Department of Health and Human Services or its successor, indicating it was constructed in compliance with the Nebraska Modular Housing Act.

NATURAL RESOURCES DISTRICT (NRD): A political subdivision of the State of Nebraska established under Nebraska Revised Statutes Chapter 2, Article 32, responsible for groundwater management, conservation, and protection within its jurisdiction. Perkins County is located within the Upper Republican Natural Resources District, which has jurisdiction over groundwater withdrawals from the Ogallala Aquifer underlying Perkins County.

NDWEE: The Nebraska Department of Water, Energy, and Environment, the primary state agency responsible for environmental regulation, water quality, and energy oversight in Nebraska. Formerly known as the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Department of Environment and Energy (NDEE). All references in these regulations to NDWEE, NDEE, or NDEQ refer to the current Nebraska Department of Water, Energy, and Environment and its successor agencies.

NFPA 855: The National Fire Protection Association Standard for the Installation of Stationary Energy Storage Systems, as adopted and amended, which establishes minimum fire safety requirements for battery energy storage systems. Referenced in Section 704.4 as the applicable fire safety standard for commercial and utility-scale BESS installations.

NONCONFORMING STRUCTURE: A building that was lawfully constructed prior to the adoption or amendment of these regulations but does not meet current dimensional standards. See Article 11.

NONCONFORMING USE: A land use that was legally established prior to the adoption or amendment of these regulations but does not conform to current use regulations. See Article 11.

NON-PARTICIPATING LANDOWNER: A property owner located within a renewable energy project's, technology facility's, or cryptocurrency mining operation's applicable setback or notification radius who has not entered into any agreement with the developer or operator and receives no compensation from the project. The rights of non-participating landowners are protected through the setback requirements, notice provisions, and performance standards established in Sections 704 through 707.

NURSERY, PLANT: A commercial operation for growing and selling trees, shrubs, flowers, and other nursery stock.

NURSING HOME: A facility providing long-term care and supervision for individuals who are unable to care for themselves.

ODOR: That characteristic of a substance which makes it offensive to the human sense of smell, as determined by the majority of any three (3) or more people. Such people shall include the Zoning Administrator, a representative of the use being investigated for odor impact, and one or more other neutral persons as agreed upon by the Zoning Administrator and the owner of the use being investigated for odor impact.

OGALLALA AQUIFER: The High Plains Aquifer underlying portions of eight states including Nebraska, which provides the primary source of groundwater for agricultural irrigation, livestock watering, and domestic use in Perkins County. The Ogallala Aquifer is a finite and non-renewable resource whose protection is a central policy objective of these regulations and the Perkins County Comprehensive Plan 2025–2035. Perkins County lies above the Ogallala and Quaternary Formations. The Upper Republican Natural Resources District has regulatory authority over groundwater withdrawals from the Ogallala Aquifer within Perkins County.

OUTDOOR STORAGE: The keeping of materials, goods, or equipment in an unenclosed area for more than seventy-two (72) consecutive hours.

PARKING AREA: Land designated for the parking of vehicles, including driveways and maneuvering areas.

PARTICIPATING LANDOWNER: A property owner who has entered into a lease, easement, or other written financial arrangement with a renewable energy developer, technology facility operator, or cryptocurrency mining operator and receives compensation in connection with a regulated installation or facility on or adjacent to their property.

PERMANENT FOUNDATION: The substructure of a structure to which the structure is permanently attached which provides a permanent support for the structure around its entire perimeter and at points within its perimeter where needed.

PREFERRED DEVELOPMENT CORRIDOR: Areas within three (3) miles of State Highway 61 or State Highway 23 throughout Perkins County, as identified in the Future Land Use Plan of the Perkins County Comprehensive Plan 2025–2035, where commercial and industrial development including technology-intensive uses is directed to minimize infrastructure impacts and maximize access to transportation routes. Utility-Scale Data Center facilities and Class II Medium Commercial and Class III Utility-Scale AI Facility applications are limited to the Preferred Development Corridor as provided in Sections 706.1, 707.1, and 707.2.

PREVAILING WINDS: The prevailing seasonal winds for Perkins County are from the north and northwest in the winter months and from the south and southeast in the summer months. Wind directions with regard to regulations in these regulations shall be further defined as follows, determined using magnetic north as determined through use of a compass: North – from forty-five degrees west of north to forty-five degrees east of north; South – from forty-five degrees west of south to forty-five degrees east of south; East – from forty-five degrees east of north to forty-five degrees east of south; West – from forty-five degrees west of north to forty-five degrees west of south.

PRIMARY DWELLING: Any single-family dwelling on a tract or lot.

PRINCIPAL USE: The main purpose for which a building or lot is designed or used.

PRIVATE AIRPORT/AIRSTRIP: A privately owned parcel of land used for the take-off and landing of small aircraft. A private airport may or may not be registered with the Nebraska Department of Aeronautics and/or the Federal Aviation Administration.

PROFESSIONAL OFFICE: A building used for professional services such as legal, medical, engineering, or financial consulting.

PUBLIC USE AREA: An area of land or water, whether publicly or privately owned, which is designed for or used by ten (10) or more unrelated persons on at least a quarterly basis for recreation, education, communication, worship, meetings, or other legal purpose, including public parks, public water areas, public game refuges, fish hatcheries, publicly or privately owned meeting halls, historic sites, and similar areas; provided that a public use area shall not include any rights-of-way for roadways or privately owned land used for hunting and/or fishing.

PUBLIC UTILITY: An organization providing essential services such as electricity, water, gas, or telecommunications to the general public.

QUARRY: An open excavation used for extracting stone, gravel, or other minerals from the earth.

QUARTER SECTION: That portion of a square section of land, as defined by the definitions and requirements of the Survey of Public Lands of the United States, which has approximately equal dimensions on all four (4) sides, has two (2) intersecting sides that coincide with two (2) intersecting section lines, and contains approximately one-fourth (1/4) of the land area contained within the square section, or approximately one hundred sixty (160) acres.

RECREATIONAL VEHICLE: A mobile unit designed for temporary human occupancy for recreational or travel use.

RECREATIONAL VEHICLE PARK: A designated area where recreational vehicles may be parked for short-term stays.

RESTAURANT: An establishment where food and beverages are prepared and served to customers, typically for on-site consumption.

RETAIL SALES: The sale of goods directly to the public for personal or household use.

RIGHT-OF-WAY: Land reserved for transportation or public utility purposes, often for roads or utility lines. Rights-of-way are not included in lot area calculations and are not part of the buildable area of a property.

ROAD / ROADWAY: A public right-of-way set aside for public travel which affords the principal means of access to abutting property.

ROAD CENTERLINE: A line extending down the center of a road or street right-of-way, as established by official survey or other means.

ROAD USE AGREEMENT: A written agreement between Perkins County and an applicant for a technology facility, CAFO, or other intensive development that establishes pre-construction road condition documentation, approved haul routes, weight limits, and the applicant's financial responsibility for road damage attributable to construction or operation. Required for specific use classifications as established in Sections 701 through 707 and Section 802.

ROADSIDE STAND: A structure or portion thereof used for the shelter, display, and sale of crafts and similar items, fruit, vegetables, and other agricultural crops produced on the premises.

SALVAGE YARD: A place where waste, discarded, or salvaged metals, building materials, paper, textiles, used plumbing fixtures, inoperable appliances, inoperable motor vehicles, machinery or parts thereof, or other used materials are bought, sold, exchanged, stored, baled, or cleaned, excluding pawn shops, used appliance or furniture sales, or operable used vehicle sales establishments. A salvage yard shall be set back not less than one-half (1/2) mile from any existing dwelling unit, church, school, or cemetery.

SCHOOL: A facility for educational instruction, including primary, secondary, and post-secondary institutions. For purposes of setback calculations throughout these regulations, school includes all K-12 educational facilities whether public, private, or parochial.

SECONDARY DWELLING: An independent single-family dwelling located on the same lot or tract as an existing single-family dwelling.

SECTION OF LAND: A division or parcel of land on the government survey, comprising one (1) square mile of land encompassing six hundred forty (640) acres more or less.

SETBACK: The required minimum open space between a structure or land use and a specified reference point such as a property line, road centerline, dwelling, or other protected feature.

SHADOW FLICKER: The intermittent shadow effect caused by rotating wind turbine blades passing between the sun and a fixed point, measured in hours per year at any given non-participating dwelling or occupied structure. Shadow flicker shall not exceed ten (10) hours per year at any non-participating dwelling as established in Section 704.6.

SIGN: Any display, device, or structure used to advertise, inform, or attract attention, whether permanent or temporary. See Section 703 for sign standards.

SMALL-SCALE USE: An umbrella term herewith defined for uses that fall within the lowest classification tier established for each regulated use category in Sections 701 through 707. Small-Scale Uses in the residential and home-based tiers are permitted in the AG-1, AG-2, and RR districts subject to the performance standards and permit requirements of the applicable section. Small-Scale Uses in the commercial tier (Small Commercial Data Center and Small Commercial AI Server Facility) are permitted in AG-1 only and are prohibited in AG-2 and RR districts. Classification as any Small-Scale Use does not exempt an operation from any applicable state or federal permit, inspection, or reporting requirement. The seven (7) constituent Small-Scale Use types are hereinafter defined as follows:

- Small-Scale Livestock Operation: A livestock operation of three hundred one (301) to one thousand (1,000) animal units as calculated using the conversion factors of Appendix B, classified as a Small-Scale Operation under Section 701.1. Subject to the adjacent-owner notification requirement and environmental feature separation distances of Section 701.2. Not subject to the full CAFO conditional use permit requirements of Section 701. Zoning permit required.
- Small-Scale Battery Energy Storage System (BESS): A Residential BESS of eighty (80) kWh or less of storage capacity, as classified and regulated under Section 704.4. No zoning permit required when installed as an accessory use to a permitted solar installation meeting all standards of Section 704.4; zoning permit required for standalone or ground-mounted installations. Permitted in AG-1, AG-2, and RR districts.
- Small-Scale Solar Energy System: A Residential Solar Energy System of twenty-five (25) kilowatts or less of generating capacity, as classified and regulated under Section 704.5. No zoning permit required when roof-mounted and meeting all standards of Section 704.5; zoning permit required for ground-mounted installations. Permitted in AG-1, AG-2, and RR districts.
- Small-Scale Wind Energy System: A Residential Wind Energy System of one hundred (100) kilowatts or less of generating capacity, as classified and regulated under Section 704.6. Special use permit (zoning permit) required. Permitted in AG-1, AG-2, and RR districts.
- Small-Scale Cryptocurrency Mining: A Home-Based Mining operation of five (5) kilowatts or less of electrical capacity, contained entirely within a principal dwelling or accessory structure on the same lot and operated by the property resident, as classified and regulated under Section 705.1. No zoning permit required provided all performance standards of Section 705 are met. Permitted in AG-1, AG-2, and RR districts as an accessory use.
- Small-Scale Data Center: A Small Commercial Data Center of five hundred (500) kilowatts or less of IT load capacity and five thousand (5,000) square feet or less of building footprint, as classified and regulated under Section 706.1. Zoning permit and site plan approval required. Permitted in AG-1 district only; prohibited in AG-2 and RR districts.
- Small-Scale AI Server Facility: A Small Commercial AI Server Facility (Class I) of five hundred (500) kilowatts or less of IT load capacity, as classified and regulated under Section 707.1. Zoning permit and site plan approval required. Permitted in AG-1 district only; prohibited in AG-2 and RR districts.

SOLAR ENERGY SYSTEM: A device or array of devices that convert sunlight into electrical energy, including all associated inverters, electrical infrastructure, mounting systems, and interconnection equipment. Classified by generating capacity into Small Residential, Small Agricultural, Commercial, and Utility-Scale as defined in Section 704.5.

SOLID MANURE: Waste produced by living cattle, dairy cattle, sheep, and other ruminants and horses which contains not less than twelve percent (12%) solids by weight, and waste produced by living swine, poultry, or other animals which contains not less than twenty-five percent (25%) solids by weight.

SOLID WASTE: Any garbage, refuse, discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, residential, or other use, but excluding any animal waste, animal wastewater, or any waste from a waste handling facility.

SPECIAL USE PERMIT: For purposes of these regulations, a special use permit is synonymous with a zoning permit issued for a use that requires Zoning Administrator review and site plan approval but does not require a full conditional use permit process. The term is used specifically in Section 704.6 for Residential wind energy systems and in Section 705.1 for Small Commercial Mining. All other references to special use permits in these regulations shall be interpreted as referring to the applicable permit type – either a zoning permit or conditional use permit – as specified in the applicable section.

STORY: That portion of a building included between the surface of any floor and the surface of the next floor above, or if there be no floor above, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if more than four (4) feet of the basement is above the average finished grade of the adjoining ground.

STRUCTURE: Anything constructed or erected with a fixed location on the ground or attached to something with a fixed location on the ground, including buildings, towers, fences, walls, and energy system components, but excluding agricultural fencing, drainage tiles, and similar agricultural infrastructure.

SUBDIVISION: The division of land into two or more lots for the purpose of development or sale. See Section 802.10.

TELECOMMUNICATIONS FACILITY: Structures and equipment used for transmitting or receiving communication signals, including cell towers, communication towers, and associated ground equipment.

TEMPORARY USE: A land use permitted for a limited time that does not involve permanent structures and for which a zoning permit has been issued specifying the duration of the use.

TINY HOME: A residential structure under five hundred (500) square feet of habitable floor space, designed for permanent living. Must comply with applicable building codes and zoning district requirements.

TRUCK STOP: A service center designed to accommodate the needs of commercial truck drivers, including fuel, food, and rest facilities.

UPPER REPUBLICAN NATURAL RESOURCES DISTRICT: The Natural Resources District with jurisdiction over Perkins County, Nebraska, responsible for groundwater management, irrigation regulation, and conservation programs within Perkins, Chase, and Dundy Counties. The Upper Republican NRD administers well permits and water use regulations applicable to high-volume groundwater users including CAFOs and technology facilities regulated under these regulations.

UTILITY-SCALE AI FACILITY: A Class III Utility-Scale AI Facility or campus as classified in Section 707.1 and regulated by Sections 707.1 and 707.2.

VARIANCE: An official authorization granted by the Board of Adjustment relieving a property owner from the strict application of specific dimensional or development standards where unique physical conditions create practical difficulties, subject to the standards and limitations of Article 12 and Section 904.

VETERINARY CLINIC: A facility providing medical treatment and care for animals.

VISUAL IMPACT ZONE: The area within two (2) miles of any renewable energy installation where visual impacts on neighboring properties, roadways, and community character must be evaluated as part of a conditional use permit or zoning permit application process. See Section 704.

VOLUNTARY COMPLIANCE AGREEMENT: A written agreement between the Zoning Administrator and a responsible party establishing a schedule for correcting identified violations of these regulations. See Section 1402.3.

WAREHOUSE: A building used for storing goods, merchandise, or materials.

WASTE HANDLING FACILITY: Any and all structures, combination of structures, underfloor pits, catch basins, aerobic lagoons, pipelines, diversion terraces, or appurtenances thereto, apparatus, equipment, or mechanism, whether on the same or different premises than the industrial, commercial, or other type of use generating waste, used to store, process, digest, compost, transport, distribute, control, or otherwise dispose of waste materials, other than solid waste as defined herein. Any facility, apparatus, or mechanism used to ventilate, exhaust, process, or treat hazardous gases, odors, dust, smoke, or other waste products emanating from any building or structure that occurs as a consequence of the use of that building or structure shall be considered part of a waste handling facility.

Waste handling facilities shall be categorized into three (3) allowable categories as follows:

- **Category A (Aerobic):** A waste handling facility in which all waste is collected and digested utilizing aerobic digestion facilities and processes, including aerobic lagoons wherein the Biochemical Oxygen Demand (BOD) loading shall not exceed 0.17 pounds per one hundred (100) gallons of water in lagoon, and dust, hazardous gases, odor, or other air contaminants emitted from any building or structure is collected and processed to minimize air contamination.
- **Category R (Run-off / Catch Basins):** A waste handling facility in which rainwater or other liquid run-off which is contaminated with manure or other wastes is impounded in liquid form for a period not exceeding one hundred twenty (120) days in any calendar year. Compliance with the impoundment time limitation shall require evaporation of the liquid and cleaning out of the solid materials in the basin and/or pumping and injection of the liquid waste into the soil or for use in adding moisture to an aerobic composting process and cleaning out of the solids in the basin.
- **Category S (Solid):** A waste handling facility where solid manure, as defined herein, or other solid animal wastes is moved to and/or collected mechanically, but not by water flow, and aerobically processed utilizing aerobic composting or temporarily stored for a period of not more than one hundred twenty (120) days prior to land application.

WATERCOURSE: A natural or artificial channel through which water flows, including perennial streams, intermittent streams, and drainage ditches.

WETLAND: Land saturated with water long enough to support vegetation adapted to wet conditions, as defined and mapped by the United States Army Corps of Engineers.

WIND ENERGY SYSTEM: A structure or group of structures, including turbine towers, nacelles, rotors, and associated electrical infrastructure, that converts wind into electrical energy. Classified by generating capacity into Residential/Farm, Small Commercial, and Utility-Scale as defined in Section 704.6.

ZONING ADMINISTRATOR: The individual, firm, or entity appointed by the Perkins County Board of Commissioners to administer and enforce these regulations. The Zoning Administrator also serves as Floodplain Administrator under Article 6B unless a separate Floodplain Administrator is designated by County Board resolution. See Section 801.

ZONING DISTRICT: A specifically designated area within which uniform zoning rules apply, as established in Article 3 and delineated on the Official Zoning Map.

ZONING MAP: The Official Zoning Map of Perkins County, Nebraska, showing the boundaries of all zoning districts established in Article 3. See Section 302.

ZONING PERMIT: A document issued by the Zoning Administrator authorizing a specific land use or construction activity in accordance with these regulations. See Section 802.

ARTICLE 3 – ZONING DISTRICTS

SECTION 300 – PLANNING COMMISSION RECOMMENDATIONS

It shall be a purpose of the Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The Planning Commission shall make a preliminary report and hold public hearings thereon before submitting its final report to the Board of Commissioners, and the Board of Commissioners shall not hold its public hearing or take final action on such recommendations until it has received the final report of the Planning Commission. This procedure shall apply to the initial designation of districts and to all subsequent amendments to district boundaries or text as provided in Article 13.

SECTION 301 – DISTRICTS ESTABLISHED

The following zoning districts are hereby established for the purpose of regulating land use and development in Perkins County:

- **AG-1 Agricultural District** – Primary agricultural production areas; the default district for unincorporated Perkins County. See Article 4.
- **AG-2 Agricultural-Residential District** – Areas with a mix of agricultural and low-density residential uses, typically in proximity to incorporated communities. See Article 5.
- **RR Rural Residential District** – Low-density residential development in proximity to existing communities. See Article 6.
- **AP Airport Protection Overlay District** – Overlay district for areas within FAA-defined airport approach surfaces and imaginary surfaces surrounding Grant Municipal Airport (KGGF). See Article 6A.
- **FP Floodplain Overlay District** – Overlay district for areas within FEMA-designated Special Flood Hazard Areas. See Article 6B.

In addition to the zoning districts established above, the **Preferred Development Corridor** – defined in Section 202 as the area within three (3) miles of State Highways 61 and 23 – functions as a planning overlay concept implementing the Future Land Use Plan of the Perkins County Comprehensive Plan 2025-2035. The Preferred Development Corridor is not a separate zoning district and does not appear on the Official Zoning Map, but it determines the eligible locations for Utility-Scale Data Center facilities and Class II Medium Commercial and Class III Utility-Scale AI Facility conditional uses under Sections 706.1, 707.1, and 707.2. Utility-Scale renewable energy, cryptocurrency mining, data center, and AI facility authorizations established by Articles 704 through 707 remain subject to the specific countywide numerical limitations stated in those Sections.

SECTION 302 – OFFICIAL ZONING MAP

The boundaries of each zoning district are delineated on the **Official Zoning Map of Perkins County, Nebraska**, which is signed by the Chair of the County Board and attested by the County Clerk. The Official Zoning Map is maintained and available for public inspection in the office of the County Clerk and with the Zoning Administrator during normal business hours. The Official Zoning Map is hereby adopted as part of these regulations with the same force and effect as the text.

Map Amendments: The Official Zoning Map shall be amended to reflect all approved zoning map amendments within thirty (30) days of the effective date of the amendment as provided in Section 1305.6. Each amendment shall be identified on the map by amendment number and effective date. The Zoning Administrator shall maintain a log of all map amendments.

Conflicts Between Map and Text: Where a conflict exists between the Official Zoning Map and the text of these regulations, the text shall control. The Zoning Administrator shall note any identified map/text conflicts in the annual report to the County Board required by Section 1505.1 and shall recommend corrective map amendments.

Authoritative Version: The Official Zoning Map maintained on file with the County Clerk is the authoritative regulatory version. Digital or online versions of the map are provided for convenience only and do not constitute the official regulatory map. In cases of discrepancy between the paper official map and any digital version, the paper official map shall control.

Rules for Interpretation of District Boundaries: Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- Boundaries indicated as approximately following the centerlines or roads, streets, or highways shall be construed to follow such centerlines.
- Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines; and boundaries indicated as approximately following the corporate limit boundaries of any municipality shall be construed to follow such corporate limit boundaries.
- Boundaries indicated as following railroad lines shall be construed to follow a line midway between the tracks of the main railroad track.
- Boundaries indicated as following shorelines of rivers, streams, canals, lakes, ponds, or other bodies of water shall be construed to follow such shoreline and in the event of change in the shoreline shall be construed as moving with the shoreline. Boundaries indicated as following the centerline of rivers, streams, canals, lakes, ponds, or other bodies of water shall be construed to follow such centerline.
- Boundaries indicated as parallel to or extensions of features indicated in items 1 through 4 shall be so construed.
- Distances not specified on the Official Zoning Map shall be determined by the map scale.
- Where a district boundary line divides a lot which was under single ownership and control at the date of adoption of these regulations, the Board of Adjustment may, upon application, permit the extension of the regulations for either portion of the lot into the remaining portion of the lot.
- In circumstances not covered by items 1 through 7, or where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Board of Adjustment shall interpret the district boundaries to best accomplish the objectives of the intent statements of the zoning districts involved.

Zoning Classification Guidelines:

- **AG-1:** Default classification applied countywide to all unincorporated land unless otherwise specified on the Official Zoning Map
- **AG-2:** Typically applies to parcels located within one (1) mile of the corporate limits of Grant, Madrid, Elsie, or Venango; note that Small Commercial Solar, Small Commercial Wind, and other energy and technology facility classifications that require AG-1 zoning are not available in the AG-2 district; property owners in AG-2 areas seeking to establish such uses must first obtain a rezoning to AG-1 through the amendment process of Article 13
- **RR:** Generally applies to parcels within one-half (0.5) mile of town boundaries or within three hundred (300) feet of primary or secondary highways; all commercial energy, technology facility, and mining uses regulated under Sections 704 through 707 are prohibited in the RR district regardless of the setback distances established in those sections
- **AP/FP Overlays:** Apply to parcels intersecting FAA-designated airport approach surfaces and imaginary surfaces (AP) or FEMA-identified Special Flood Hazard Areas (FP); both overlays apply in addition to the underlying base district with the more restrictive provision controlling

ARTICLE 4 – AG-1 AGRICULTURAL DISTRICT

SECTION 401 – INTENT

To preserve and protect prime agricultural lands and the Ogallala Aquifer while allowing compatible land uses that support the agricultural economy, enable appropriate economic diversification, and maintain the rural way of life that defines Perkins County. The AG-1 district is the primary location for agricultural production and the only district where commercial energy, technology facility, and mining uses regulated under Sections 704 through 707 may be established, subject to the applicable performance standards and permit requirements of those sections.

SECTION 402 – PERMITTED USES (NO ZONING PERMIT REQUIRED)

Principal Uses:

- Agricultural production and associated activities
- Single-family farmstead dwellings located on agricultural operations
- Agricultural buildings on a farmstead of twenty (20) or more acres producing at least one thousand dollars ($1,000) annually are exempt from zoning permit requirements per Nebraska Revised Statutes §23-114.03; however, any use of such buildings for commercial, industrial, or non-agricultural purposes is subject to zoning regulation and may require a permit or conditional use approval; see Section 1103.5
- Grain storage and handling facilities associated with on-farm agricultural production
- Irrigation and water management systems
- Forestry and tree farming
- Oil and gas extraction with all required state permits

Accessory Uses:

- Storage and maintenance of farm equipment
- Feed storage and on-site mixing
- Livestock handling facilities
- Roadside stands selling on-farm products
- Home occupations as regulated in Section 702
- Home-Based Mining operations meeting all standards of Section 705 (no zoning permit required if all performance standards are met)
- Small Residential Solar Energy Systems (≤ 25 kW) meeting all standards of Section 704.5 when roof-mounted (no zoning permit required)
- Residential BESS (≤ 80 kWh) installed as accessory to a permitted solar installation meeting all standards of Section 704.4 (no zoning permit required)

SECTION 403 – PERMITTED USES (ZONING PERMIT REQUIRED)

- Single-family accessory dwellings subject to density and spacing standards of Section 407
- Churches and cemeteries
- Public service facilities including utilities, fire stations, and road maintenance facilities
- Agricultural service businesses including veterinary clinics and equipment sales or repair
- Small Residential Solar Energy Systems (≤ 25 kW) ground-mounted, subject to Section 704.5
- Small Agricultural Solar Energy Systems (25 kW – 200 kW) subject to Section 704.5
- Residential Wind Energy Systems (≤ 100 kW) subject to Section 704.6 (special use permit required as specified in Section 704.6)

- Residential BESS (≤ 80 kWh) not installed as accessory to a permitted solar installation, subject to Section 704.4
- Small Commercial BESS (80 kWh – 1 MWh) subject to Section 704.4
- Small Commercial Cryptocurrency Mining (5 kW – 100 kW) subject to Section 705
- Small Commercial Data Center Facilities (≤ 500 kW) subject to Section 706
- Edge AI Server Facilities (Class I, ≤ 500 kW) subject to Section 707
- On-site identification and directional signage subject to Section 703
- Agricultural buildings one hundred thirty-two (132) feet or taller subject to airport clearance review under Section 6A06; note that any structure exceeding two hundred (200) feet AGL anywhere in Perkins County requires FAA Form 7460-1 filing under Section 6A06 regardless of this threshold

SECTION 404 – CONDITIONAL USES

The following uses may be allowed upon issuance of a conditional use permit following a public hearing before the Planning Commission and action by the County Board as provided in Article 10:

- Concentrated Animal Feeding Operations (CAFOs) subject to Section 701
- Small-Scale Uses as defined in Section 202 that require a conditional use permit; Utility-Scale Wind is prohibited per Sections 704.3 and 704.6; Utility-Scale Solar and Utility-Scale BESS are limited as provided in Section 704.3
- Commercial Solar Energy Systems (200 kW – 5 MW) subject to Section 704.5
- Utility-Scale Solar Energy System (> 5 MW) – maximum one (1) active installation countywide at any given time, subject to Sections 704.3 and 704.5
- Small Commercial Wind Energy Systems (100 kW – 5 MW) subject to Section 704.6
- Medium Commercial BESS (1 MWh – 10 MWh) subject to Section 704.4
- Utility-Scale BESS (> 10 MWh) – maximum one (1) active installation countywide at any given time, subject to Sections 704.3 and 704.4
- Medium Commercial Mining Operations (> 100 kW to ≤ 500 kW) and Utility-Scale Mining Operations (> 500 kW) subject to Section 705
- Medium Commercial Data Center Facilities (500 kW – 5 MW) subject to Section 706
- Utility-Scale Data Center Facilities (> 5 MW) – maximum one (1) active facility countywide at any given time, subject to Section 706; Preferred Development Corridor required
- Medium Commercial AI Server Facilities (Class II, 500 kW – 20 MW) subject to Section 707; Preferred Development Corridor required
- Utility-Scale AI Facilities (Class III, > 20 MW) – maximum one (1) active facility or campus countywide at any given time, subject to Section 707; Preferred Development Corridor required
- Commercial or industrial uses compatible with agricultural character not otherwise specifically regulated
- Mineral or gravel extraction operations
- Recreational facilities including campgrounds, hunting lodges, and outfitter operations
- Residential subdivisions that exceed established density thresholds
- Rural event venues including wedding barns and meeting halls
- Telecommunications towers
- Waste management facilities
- Private airports or airstrips
- AI Server Facilities including machine learning infrastructure and Utility-Scale AI campuses subject to Section 707
- Accessory Dwelling Units, provided the following minimum conditions are met:

- The property owner shall notify the local E-911 system and fire department regarding the accessory dwelling unit prior to occupancy. Proof of such notification shall be provided to the Zoning Administrator before a Certificate of Compliance is issued.
- The accessory dwelling unit shall comply with all applicable setbacks, lot size, and district standards.

SECTION 405 – LOT REQUIREMENTS

- Minimum Lot Size: three (3) acres; provided, however, that additional area may be required where necessary to accommodate on site wastewater treatment, replacement drainfield area, water supply protection, drainage, floodplain limitations, or other site constraints.
- Minimum Lot Width: one hundred fifty (150) feet
- Minimum Lot Depth: two hundred (200) feet
- Minimum Road Frontage: one hundred (100) feet on a maintained public road

SECTION 406 – SETBACK REQUIREMENTS

- Front Setback: eighty-five (85) feet from the centerline of a maintained county road. Where a lot abuts a state or federal highway, the minimum front setback shall be fifty (50) feet from the highway right-of-way line, unless a greater setback is required by the Nebraska Department of Transportation or other applicable law.
- Side Setbacks: fifty (50) feet for primary structures; ten (10) feet for accessory structures
- Rear Setbacks: fifty (50) feet for primary structures; ten (10) feet for accessory structures

Note: Setback requirements for renewable energy systems, technology facilities, CAFOs, and other specifically regulated uses in Sections 701 through 707 establish use-specific setbacks that supersede these general district setbacks. Where use-specific setbacks are more restrictive than district setbacks, the use-specific setbacks shall control.

SECTION 407 – DENSITY AND SPACING STANDARDS

- Maximum Density: Not more than four (4) principal dwelling units shall be permitted within any quarter section, except within an approved residential subdivision or as otherwise specifically authorized by this Resolution. Secondary dwelling units authorized pursuant to this Resolution shall not count toward the maximum density unless separated onto an individual tract or parcel.
- Minimum Spacing: No principal dwelling unit shall be located within five hundred (500) feet of another principal dwelling unit, measured from the nearest point of each principal structure, except dwellings located within the same farmstead, dwellings within an approved residential subdivision, or dwellings otherwise specifically authorized by Conditional Use Permit under this Resolution.

SECTION 408 – HEIGHT LIMITATIONS

- Principal Residential Structures: No principal residential structure shall exceed thirty five (35) feet in height.
- Agricultural Buildings and Structures: Agricultural buildings and structures shall not be subject to a maximum height limitation, except within the AP Airport Protection Overlay District, where the height limitations of Sections 6A04 and 6A05 shall apply. Renewable Energy and Technology Facility Structures: Structures associated with renewable energy systems and technology facilities shall comply with the applicable height limitations and related standards established in Sections 704 through 707 of this Resolution.
- All Other Structures: All other structures shall comply with the height limitations otherwise applicable under this Resolution; provided, however, that within the AP Airport Protection Overlay District, all structures shall comply with FAA Part 77 imaginary surface requirements as incorporated in Section 6A04 and with the absolute height limitations of Section 6A05.

SECTION 409 – AGRICULTURAL PROTECTION MEASURES

- **Right-to-Farm:** Agricultural operations are recognized as priority uses in the AG-1 district. Routine agricultural practices including plowing, planting, harvesting, livestock handling, irrigation, application of pesticides and fertilizers, and operation of agricultural equipment are not nuisances for purposes of these regulations, regardless of when neighboring non-agricultural uses were established. Technology facilities, cryptocurrency mining operations, and other non-agricultural uses established in the AG-1 district under Sections 704 through 707 shall be sited and operated so as not to interfere with normal agricultural operations in the surrounding area.

- **Disclosure Requirement:** New non-agricultural residents in the AG-1 district must be informed in writing by the Zoning Administrator at the time of permit issuance of potential agricultural impacts including noise, odors, dust, and equipment operations associated with normal farming activities.

- **Nuisance Protection:** Routine agricultural practices conducted in accordance with generally accepted agricultural management practices are not considered nuisances under these regulations. Complaints about agricultural operations shall be evaluated against this standard before enforcement action is initiated.

- **Farm Building Exemption:** Qualifying agricultural buildings on farmsteads of twenty (20) acres or more producing at least one thousand dollars ($1,000) annually may be exempt from zoning permit requirements per Nebraska Revised Statutes §23-114.03, subject to the conditions of Section 402 and Section 1103.5.

ARTICLE 5 – AG-2 AGRICULTURAL-RESIDENTIAL DISTRICT

SECTION 501 – INTENT

To accommodate low-density rural residential development while preserving the agricultural character of the County, protecting existing agricultural operations from land use conflicts, and providing a transitional land use pattern between the AG-1 Agricultural District and more intensive residential districts located near incorporated communities. Uses regulated under Sections 704 through 707 beyond the Small-Scale Use classifications defined in Section 202 are prohibited in the AG-2 District unless the property is rezoned to AG-1 in accordance with Article 13.

SECTION 502 – PERMITTED USES (NO ZONING PERMIT REQUIRED)

- Agricultural production including hobby farms and Small-Scale Livestock Operations as herewith defined in Section 202
- Home gardens and livestock keeping with fewer than twenty-five (25) animal units (below the Small-Scale Livestock Operation threshold established in Section 202)
- Small Residential Solar Energy Systems (≤ 25 kW) roof-mounted meeting all standards of Section 704.5
- Residential BESS (≤ 80 kWh) installed as accessory to a permitted solar installation meeting all standards of Section 704.4
- Home-Based Mining operations (≤ 5 kW) meeting all standards of Section 705 as an accessory use

SECTION 503 – PERMITTED USES (ZONING PERMIT REQUIRED)

- Single-family dwellings
- Manufactured or mobile homes
- Home occupations subject to Section 702
- Small animal operations with more than twenty-five (25) but fewer than three hundred (300) animal units; operations at or below 300 animal units are not subject to CAFO regulations under Section 701 but remain subject to all other applicable zoning standards
- Rural service businesses such as small engine repair and equipment storage
- Residential identification signage
- Small Residential Solar Energy Systems (≤ 25 kW) ground-mounted subject to Section 704.5
- Residential BESS (≤ 80 kWh) not installed as accessory to a permitted solar installation subject to Section 704.4
- Residential Wind Energy Systems (≤ 100 kW) subject to Section 704.6

SECTION 504 – CONDITIONAL USES

The following uses may be allowed with a conditional use permit following a public hearing:

- Bed and breakfast establishments
- Rural event venues of limited scale
- Small commercial service businesses
- Daycare facilities
- Group homes
- Signage other than residential identification subject to Section 703
- Accessory Dwelling Units, provided the following minimum conditions are met:

- The property owner shall notify the local E-911 system and fire department regarding the accessory dwelling unit prior to occupancy. Proof of such notification shall be provided to the Zoning Administrator before a Certificate of Compliance is issued.
- The accessory dwelling unit shall comply with all applicable setback, lot size, and district standards.

The following uses are expressly prohibited in the AG-2 district and may not be authorized by conditional use permit, variance, or any other approval mechanism:

- Small Commercial Mining
- Industrial Mining
- Small Commercial Data Center
- Medium Commercial Data Center
- Utility-Scale Data Center
- Small Commercial AI Server Facility
- Medium Commercial AI Facility
- Utility-Scale AI Facility
- Small Commercial BESS
- Medium Commercial BESS
- Utility-Scale BESS
- Small Agricultural Solar
- Commercial Solar
- Utility-Scale Solar
- Small Commercial Wind.

SECTION 505 – LOT REQUIREMENTS

• Minimum Lot Size:	One (1) acre for lots served by on-site wastewater treatment systems; provided, however, that a larger lot may be required where necessary to accommodate septic system design, replacement drainfield area, water supply protection, drainage, floodplain limitations, or other site constraints. Where a semi-public or public sewer collection and treatment system is provided; the minimum lot size shall be ten thousand (10,000) square feet.
• Minimum Lot Width:	One hundred twenty (120) feet for lots served by on-site wastewater treatment systems; sixty-six (66) feet for lots served by semi-public or public sewer.
• Minimum Lot Depth:	Two hundred (200) feet for lots served by on-site wastewater treatment systems; one hundred (100) feet for lots served by semi public or public sewer.
• Minimum Road Frontage:	One hundred (100) feet on a maintained public road for lots served by on-site wastewater treatment systems; fifty (50) feet for lots served by semi-public or public sewer where otherwise permitted by subdivision regulations.

SECTION 506 – SETBACK REQUIREMENTS

• Front Setback:	Fifty (50) feet from the right-of-way line of a county road and

	fifty (50) feet from the right-of-way line of a state or federal highway, unless a greater setback is required by other applicable law.
• Side Setback:	Twenty-five (25) feet for principal structures and ten (10) feet for accessory structures.
• Rear Setback:	Forty (40) feet for principal structures and ten (10) feet for accessory structures.

SECTION 507 – DENSITY LIMITS

• Maximum Density:	Not more than eight (8) principal dwelling units shall be permitted within any quarter section.
• Minimum Site Area Per Dwelling:	Except where public or semi-public sewer is provided in an approved subdivision, no principal dwelling shall be located on a tract containing less than one (1) acre.

ARTICLE 6 – RR RURAL RESIDENTIAL DISTRICT

SECTION 601 – INTENT

To provide for low-density rural residential development in proximity to existing communities while preserving rural character, protecting nearby agricultural operations from land use conflicts, and maintaining community quality of life. Uses regulated under Sections 704 through 707 beyond the Small-Scale Use classifications defined in Section 202 are prohibited in the RR District unless the property is rezoned to AG-1 in accordance with Article 13.

SECTION 602 – PERMITTED USES (ZONING PERMIT REQUIRED)

- Single-family dwellings
- Manufactured or mobile homes
- Home occupations subject to Section 702
- General agricultural lifestyle uses including gardens, poultry, and livestock keeping with fewer than twenty-five (25) animal units (below the Small-Scale Livestock Operation threshold established in Section 202); these uses do not constitute Small-Scale Uses under Section 202 and require no zoning permit
- Small Residential Solar Energy Systems (≤ 25 kW) subject to Section 704.5
- Residential BESS (≤ 80 kWh) subject to Section 704.4
- Home-Based Mining operations (≤ 5 kW) meeting all standards of Section 705 as an accessory use
- Residential Wind Energy Systems (≤ 100 kW) subject to Section 704.6

The following uses are expressly prohibited in the RR district and may not be authorized by conditional use permit, variance, or any other approval mechanism:

- Small Commercial Mining
- Industrial Mining,
- Small Commercial Data Center
- Medium Commercial Data Center
- Utility-Scale Data Center
- Small Commercial AI Server Facility
- Medium Commercial AI Facility
- Utility-Scale AI Facility
- Small Commercial BESS
- Medium Commercial BESS
- Utility-Scale BESS
- Small Agricultural Solar
- Commercial Solar
- Utility-Scale Solar
- Small Commercial Wind.

SECTION 603 – CONDITIONAL USES

The following uses may be permitted with a conditional use permit after a public hearing:

- Multi-family residential dwellings containing not more than four (4) units, subject to a site plan review
- Rural commercial service establishments
- Community facilities including meeting halls and civic centers
- Recreational facilities including parks, trails, and clubhouses

SECTION 604 – LOT REQUIREMENTS

- Minimum Lot Size: One (1) acre; provided, however, that a larger lot area may be required where necessary to accommodate on-site wastewater treatment, replacement drainfield area, water supply protection, drainage, floodplain limitations, or other site constraints.
- Minimum Lot Width: One hundred fifty (150) feet.
- Minimum Lot Depth: Two hundred (200) feet.
- Minimum Road Frontage: One hundred (100) feet on a maintained public road.

SECTION 605 – SETBACK REQUIREMENTS

- Front Setback: Forty (40) feet from the front lot line or road right-of-way line. Where a lot abuts a state or federal highway, the minimum front setback shall be seventy-five (75) feet from the highway right-of-way line, unless a greater setback is required by other applicable law.
- Side Setback: Twenty (20) feet for principal structures and ten (10) feet for accessory structures.
- Rear Setback: Thirty (30) feet for principal structures and ten (10) feet for accessory structures.

ARTICLE 6A – AP AIRPORT PROTECTION OVERLAY DISTRICT

SECTION 6A01 – INTENT

To protect the airspace around Grant Municipal Airport (FAA LID: GGF; ICAO: KGGF), located approximately two (2) miles north of Grant, Nebraska, from structures and uses that create hazards to aircraft, obstruct navigable airspace, or impair airport utility and operational safety. This Article implements the AP Overlay District established in Section 301 and is adopted pursuant to 14 CFR Part 77 (Safe, Efficient Use, and Preservation of the Navigable Airspace). Technology facilities regulated under Sections 705 through 707 that generate electromagnetic interference with navigational signals or radio communications are prohibited within the AP Overlay District under Section 6A07; applicants for such facilities must demonstrate through FAA aeronautical study that the proposed facility will not interfere with airport operations before a conditional use permit may be issued.

SECTION 6A02 – APPLICABILITY

The AP Overlay District applies to all land within a three (3) mile radius of Grant Municipal Airport's reference point (40°52'14"N, 101°44'02"W; Elevation 3,424.6 ft MSL) and to any land within the FAA Part 77 imaginary surfaces described in Section 6A04, whichever is greater. The AP Overlay applies in addition to the underlying base zoning district; the more restrictive provision controls.

SECTION 6A03 – AIRPORT REFERENCE DATA

Grant Municipal Airport (KGGF) data for purposes of this Article:

- FAA LID: GGF | ICAO: KGGF
- Location: 40°52'14.4"N, 101°44'01.9"W
- Elevation: 3,424.6 feet MSL (surveyed)
- Runway: 15/33 | Dimensions: 4,797 × 60 feet | Surface: Concrete
- Runway 15 heading: 137° magnetic / 146° true
- Runway 33 heading: 317° magnetic / 326° true
- Approach type: Non-Precision Instrument (RNAV GPS, VOR/DME, NDB); Automated Weather Observation System (AWOS III P/T) installed
- Owner: City of Grant, Nebraska

The Zoning Administrator shall verify current airport reference data with the FAA and the City of Grant at the time of any permit application implicating the AP Overlay District and shall update this Section as necessary if airport characteristics change.

SECTION 6A04 – FAA PART 77 IMAGINARY SURFACE DIMENSIONS

The following imaginary surfaces are established for Grant Municipal Airport in accordance with 14 CFR Part 77, Subpart C, applicable to a non-precision instrument runway:

Primary Surface: Longitudinally centered on Runway 15/33, extending two hundred (200) feet beyond each runway end. Width: five hundred (500) feet (250 feet each side of centerline). Elevation equal to runway elevation throughout.

Approach Surfaces (each end): Trapezoidal surface centered on each runway end, beginning at the end of the primary surface. Inner width: five hundred (500) feet. Outer width: three thousand five hundred (3,500) feet. Length: ten thousand (10,000) feet. Slope: 34:1 upward from the runway end.

Transitional Surfaces: Extend outward and upward at 7:1 from the edges of the primary surface and approach surfaces to the horizontal surface elevation.

Horizontal Surface: Oval surface at three thousand five hundred seventy-four and six-tenths (3,574.6) feet MSL (runway elevation + 150 feet), with a radius of ten thousand (10,000) feet measured from each end of the primary surface.

Conical Surface: Extends outward and upward from the outer edge of the horizontal surface at a slope of 20:1 to an elevation three hundred fifty (350) feet above the runway elevation (3,774.6 feet MSL).

SECTION 6A05 – HEIGHT RESTRICTIONS

No structure, tree, or object of natural growth shall be erected, altered, or allowed to grow to a height that penetrates any imaginary surface defined in Section 6A04. In addition, the following absolute height limits apply:

- Within one thousand (1,000) feet of the runway centerline: maximum thirty-five (35) feet AGL
- Within the approach surfaces: no structure shall exceed the 34:1 approach surface slope
- Agricultural buildings exempt from zoning permits under Nebraska Revised Statutes §23-114.03 remain subject to these height restrictions within the AP Overlay District

The Zoning Administrator shall evaluate all permit applications within the AP Overlay District against the Part 77 surfaces prior to permit issuance.

SECTION 6A06 – FAA NOTIFICATION REQUIREMENT (FORM 7460-1)

Prior to construction of any of the following, the applicant shall file FAA Form 7460-1 (Notice of Proposed Construction or Alteration) with the FAA and provide a copy to the Zoning Administrator. No zoning permit shall be issued for such structures until a favorable FAA aeronautical study determination (no hazard) has been received:

- Any structure exceeding two hundred (200) feet AGL at its site anywhere in Perkins County
- Any structure within twenty thousand (20,000) feet of Runway 15 or Runway 33 threshold that would exceed the applicable Part 77 approach surface
- Any structure within the horizontal or conical surfaces of KGGF that would penetrate those surfaces
- Any wind turbine or telecommunications tower exceeding one hundred (100) feet AGL within ten (10) miles of KGGF
- Any technology facility under Sections 705, 706, or 707 proposed within the AP Overlay District boundaries

SECTION 6A07 – PROHIBITED USES

Within the AP Overlay District the following are prohibited:

- Structures or uses that create electrical interference with navigational signals or radio communications between aircraft and the airport; technology facilities regulated under Sections 705 through 707 that generate such interference are prohibited; applicants for technology facilities within the AP Overlay District must demonstrate through FAA aeronautical study that the proposed facility will not create such interference before a conditional use permit may be issued

- Lights, illuminated signs, or reflective surfaces that could be mistaken for airport lighting or otherwise confuse or distract pilots
- Uses that attract large concentrations of birds, including sanitary landfills or similar waste facilities within five thousand (5,000) feet of any runway end
- Smoke, steam, or dust emissions that reduce pilot visibility below safe operating levels

SECTION 6A08 – NONCONFORMING STRUCTURES

Structures lawfully in existence at the time of adoption of these Regulations that do not conform to Section 6A05 shall be treated as nonconforming structures subject to Article 11. Such structures shall not be increased in height so as to further penetrate an imaginary surface. See Section 904.12 for prohibited variances from AP Overlay height standards.

SECTION 6A09 – RELATIONSHIP TO FEDERAL LAW

This Article does not supersede any FAA regulation or requirement. Property owners are independently responsible for compliance with 14 CFR Parts 77 and 157 and all other applicable federal aviation regulations. Where this Article and federal requirements differ, the more restrictive shall govern.

ARTICLE 6B – FP FLOODPLAIN OVERLAY DISTRICT

SECTION 6B01 – AUTHORITY AND PURPOSE

This Article implements the Floodplain (FP) Overlay District established in Section 301. It is adopted pursuant to Nebraska Revised Statutes §23-114(5), the National Flood Insurance Reform Act (42 U.S.C. §4001 et seq.), and 44 CFR Part 60. Perkins County participates in the National Flood Insurance Program (NFIP) as established by County Resolution 2005-32. The Zoning Administrator shall also serve as Floodplain Administrator unless a separate Floodplain Administrator is designated by County Board resolution consistent with Section 801.1.

The purposes of this Article are to: (1) minimize flood losses to life and property; (2) maintain Perkins County's eligibility for NFIP flood insurance; (3) preserve the natural flood-carrying capacity of watercourses; and (4) comply with minimum NFIP floodplain management standards required by 44 CFR Part 60.

SECTION 6B02 – REGULATORY MAP ADOPTED BY REFERENCE

The FP Overlay District applies to all Special Flood Hazard Areas (SFHAs) shown on the Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) issued by FEMA for Perkins County, Nebraska, including all amendments and revisions thereto (Letters of Map Change – LOMCs). These documents are hereby adopted by reference as part of these Regulations. The current effective FIRM panels and FIS are maintained on file in the office of the Perkins County Clerk and with the Floodplain Administrator, and are available for public inspection during business hours. When the FIRM is updated by FEMA, the revised FIRM automatically becomes the regulatory map under this Article upon its effective date.

SECTION 6B03 – DEFINITIONS

BASE FLOOD: The flood having a one-percent (1%) annual chance of being equaled or exceeded in any given year (100-year flood).

BASE FLOOD ELEVATION (BFE): The elevation floodwater is anticipated to reach during the base flood, as shown on the FIRM or Flood Insurance Study.

DEVELOPMENT: Any man-made change to real estate, including construction, mining, dredging, filling, grading, paving, excavation, or drilling operations.

ELEVATION CERTIFICATE: The standard FEMA form used to certify the elevation of the lowest floor of a structure for NFIP purposes (FEMA Form FF-16-3).

FLOODPLAIN PERMIT: A permit issued by the Floodplain Administrator authorizing development within the SFHA.

FLOODWAY: The channel of a watercourse plus the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one (1) foot.

LOWEST FLOOR: The lowest floor of the lowest enclosed area including basement. An unfinished or flood-resistant enclosure usable solely for parking, building access, or storage is not considered a building's lowest floor if the enclosure meets FEMA's criteria for such enclosures.

SPECIAL FLOOD HAZARD AREA (SFHA): Land in the floodplain subject to inundation by the base flood, shown as Zone A or Zone AE on the FIRM.

SUBSTANTIAL DAMAGE: Damage of any origin to a structure where the cost of restoring it to its pre-damage condition equals or exceeds fifty percent (50%) of its market value before damage.

SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, or improvement of a structure whose cost equals or exceeds fifty percent (50%) of the structure's market value before the start of construction.

SECTION 6B04 – FLOODPLAIN PERMIT REQUIRED

A Floodplain Permit is required from the Floodplain Administrator prior to any development within the SFHA, regardless of whether a zoning permit is separately required. Activities exempt from zoning permit requirements under Section 402 – such as qualifying farm buildings under Nebraska Revised Statutes §23-114.03 – are subject to the Floodplain Permit requirement if located within the SFHA. The application shall include: (1) a site plan showing the proposed development relative to SFHA boundaries; (2) the elevation of the lowest floor in feet NAVD88; (3) for nonresidential uses, a description of floodproofing measures if applicable; and (4) any other information required by the Floodplain Administrator.

SECTION 6B05 – DEVELOPMENT STANDARDS IN THE SFHA

All new construction and substantial improvements of structures within the SFHA shall:

Residential Structures: Have the lowest floor elevated to or above the BFE plus one (1) foot of freeboard. In Zone A areas where no BFE is available, the applicant shall obtain a BFE determination from a licensed engineer.

Nonresidential Structures: Have the lowest floor elevated to or above BFE plus one (1) foot, or be floodproofed to that elevation with written certification by a registered professional engineer or architect.

All Structures: Be constructed with materials and methods that minimize flood damage and designed to have adequate anchoring to prevent flotation.

SECTION 6B06 – FLOODWAY STANDARDS

Within designated floodways shown on the FIRM, no encroachments – including fill, new construction, substantial improvements, or other development – shall be permitted unless a licensed professional engineer demonstrates through hydraulic analysis that the proposed encroachment will not result in any increase in base flood elevations. No new residential construction is permitted in the regulatory floodway. Non-agricultural commercial or industrial structures in the floodway require a conditional use permit under Article 10 in addition to a Floodplain Permit. No variance from the floodway encroachment prohibition of this Section shall be granted. See Section 904.12 and Section 1203.4.

SECTION 6B07 – ELEVATION CERTIFICATE REQUIRED

Upon completion of the lowest floor of any new or substantially improved structure in the SFHA, and prior to further vertical construction, the permit holder shall submit to the Floodplain Administrator an Elevation Certificate (FEMA Form FF-16-3) prepared by a licensed land surveyor, registered engineer, or architect. The Floodplain Administrator shall retain all Elevation Certificates permanently on file.

SECTION 6B08 – UTILITIES AND SUBDIVISIONS

New and replacement water supply and sanitary sewage systems shall be designed to minimize infiltration of floodwaters and discharges into floodwaters. On-site waste disposal systems shall be located to avoid impairment during flooding. All subdivision proposals within the SFHA shall be consistent with minimizing flood damage, shall locate utilities to minimize flood exposure, and shall provide adequate drainage.

SECTION 6B09 – AGRICULTURAL USES

The following agricultural uses are permitted within the SFHA without a Floodplain Permit, provided no permanent structure is constructed: crop production, grazing, general farm operations, non-structural irrigation systems, and conservation or native vegetation management. CAFOs and permanent livestock structures are not exempt and require a Floodplain Permit and compliance with Section 6B05. All CAFOs within or adjacent to the SFHA are additionally subject to the environmental feature separation distances of Section 701.2 and Appendix C.

SECTION 6B10 – VARIANCES

Variances from the floodway encroachment standards of Section 6B06 shall not be granted. See Section 904.12 and Section 1203.4. Variances from other provisions of this Article may be considered by the Board of Adjustment only upon a finding that: (1) the variance is the minimum necessary to afford relief; (2) exceptional hardship would result from strict compliance; (3) granting the variance will not result in additional threats to public safety or flood damage; and (4) the applicant has been notified in writing that the structure will be built below BFE and that flood insurance premiums will reflect the increased risk. The Board of Adjustment shall comply with the variance notification and reporting requirements of 44 CFR Part 60.6.

SECTION 6B11 – FLOODPLAIN ADMINISTRATOR DUTIES

The Floodplain Administrator shall: (1) issue or deny Floodplain Permits; (2) maintain permanent files of all Elevation Certificates, Floodplain Permits, and related correspondence; (3) notify FEMA and the Nebraska Department of Water, Energy, and Environment (NDWEE) of any proposed alterations to a watercourse in accordance with 44 CFR §65.3, and coordinate with FEMA on any required Conditional Letter of Map Revision (CLOMR) prior to construction and Letter of Map Revision (LOMR) following completion of any watercourse alteration; (4) ensure flood-carrying capacity of any altered watercourse is maintained; (5) coordinate with the Nebraska NFIP Coordinator at NDWEE on all NFIP compliance matters; and (6) submit all reports required by FEMA and NDWEE to maintain Perkins County's participation in the National Flood Insurance Program.

ARTICLE 6C – GENERAL SUPPLEMENTAL REGULATIONS

Intent: To establish baseline standards that apply uniformly across all zoning districts and supplement the district-specific regulations of Articles 4 through 6. These provisions protect property owners from minor regulatory ambiguities, clarify what structures and features may occupy yard and setback areas, and establish the foundational rules governing lot division, use conversion, and accessory uses throughout unincorporated Perkins County. Where these general standards conflict with use-specific standards established in Sections 701 through 707 or the overlay district standards of Articles 6A and 6B, the more specific provision controls.

SECTION 6C01 – APPLICATION

These Supplemental regulations apply to all uses, structures, and lots in all zoning districts established in Article 3. They are not a substitute for the use-specific performance standards of Article 7 or the overlay district requirements of Articles 6A and 6B; they operate alongside those provisions to fill gaps not addressed by district or use-specific standards.

SECTION 6C02 – SETBACK REQUIREMENTS AND PROJECTIONS

Minimum setbacks apply to all structures as established in the applicable zoning district. The following features may project into a required setback without constituting a violation:

- Eaves, cornices, overhangs, awnings, balconies, and bay windows: maximum four (4) feet of projection from the building wall

- Belt courses, sills, lintels, chimneys, and similar ornamental or architectural features: maximum eighteen (18) inches of projection from the building wall

- Unenclosed and uncovered steps, entrance platforms, ramps, terraces, and landings: maximum two (2) feet above grade and maximum eight (8) feet of projection from the building wall

Where no specific setback definition in these regulations clearly applies to the orientation of a particular lot or structure, the Zoning Administrator shall determine a suitable setback dimension consistent with the intent of the setback requirements of the applicable zoning district. That determination may be appealed to the Board of Adjustment under Section 904.09.

SECTION 6C03 – FENCES AND WALLS

The following are permitted in any yard in any zoning district without a zoning permit:

- Agricultural fences of any type associated with an agricultural use
- Retaining walls associated with any permitted use
- Ornamental fences, screen fences, and structural walls
- Living screens consisting of trees, shrubs, or other plant material

Use-specific fencing and screening standards established in Sections 701 through 707 control over this general provision for facilities regulated under those sections.

SECTION 6C04 – SETBACK EXEMPTIONS

The following minor appurtenant features are permitted in any yard or setback area in any zoning district and do not require a zoning permit:

- Sidewalks, walkways, and driveways
- Curbs and gutters
- Drainage and erosion control installations
- Mailboxes, lamp posts, and flag poles
- Bird baths, planters, and similar decorative yard features
- Underground utility lines and service connections

SECTION 6C05 – DIVISION OF LOTS

A developed lot may be divided into smaller lots only if each resulting lot and all structures on it comply with all dimensional standards, setback requirements, and use regulations of the applicable zoning district. Proposed lot divisions shall comply with the subdivision plat requirements of Section 802.10. No lot division may be recorded that would create a lot smaller than the applicable district minimum or that would cause an existing structure to become nonconforming with respect to setbacks, coverage, or use.

SECTION 6C06 – CONVERSIONS OF USE

Any change in the use of land, a building, or a structure from one use category to another shall comply with all applicable standards of these regulations for the new use. A change of use requires a zoning permit under Section 802 and a Certificate of Compliance under Section 803 before the new use may commence. The prior use does not establish any vested right to continue the new use if it does not comply with current standards.

SECTION 6C07 – ACCESSORY USES

Accessory uses are permitted in all zoning districts subject to the following standards:

- An accessory use must be incidental to, subordinate to, and commonly associated with the principal use of the lot
- An accessory use must be operated under the same ownership and control and on the same lot as the principal use
- An accessory use must be clearly subordinate to the principal use in height, area, bulk, and extent
- An accessory use may be established only after the principal use of the lot has been established and is in operation

Accessory uses that do not meet these standards are not permitted as accessory uses and may only be authorized through the applicable principal use or conditional use process.

SECTION 6C08 – SETBACK AND LOT SIZE REDUCTION PROHIBITED

- No existing setback, lot, or tract shall be reduced in dimension or area below the minimum requirements of these regulations

- No new lot created after the effective date of these regulations may be smaller than the applicable district minimum lot size or narrower than the applicable minimum lot width
- No existing structure rendered nonconforming by adoption or amendment of these regulations may be altered so as to increase the degree of nonconformity; see Article 11 for nonconforming use and structure provisions

ARTICLE 7 – SPECIAL REGULATIONS

SECTION 701 – CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs)

Intent: To regulate the siting and operation of concentrated animal feeding operations in a manner that supports Perkins County's agricultural economy while protecting neighboring property owners, groundwater resources, air quality, and the rural quality of life that defines our community. These standards implement the agricultural land use objectives of the Perkins County Comprehensive Plan 2025–2035 and supplement – but do not replace – all applicable state and federal CAFO permitting requirements administered by the Nebraska Department of Water, Energy, and Environment (NDWEE) and the Upper Republican Natural Resources District.

701.1 CLASSIFICATIONS

All CAFO classifications are measured in animal units as defined in Appendix B. Operations between three hundred one (301) and one thousand (1,000) animal units are classified as Small-Scale Operations as herewith defined in Section 202 (see SMALL-SCALE USE definition, subsection (1) and are not subject to the full CAFO conditional use permit requirements of this Section; such operations remain subject to Nebraska Title 130 Livestock Waste Control Regulations inspection requirements administered by NDWEE, which apply independently of this county zoning classification, and to the notification and separation distance requirements of Section 701.2. Operations at or below three hundred (300) animal units are not subject to CAFO regulations under this Section but remain subject to all other applicable zoning standards.

- Class I: one thousand one (1,001) to three thousand (3,000) animal units
- Class II: three thousand one (3,001) to ten thousand (10,000) animal units
- Class III: ten thousand one (10,001) to twenty thousand (20,000) animal units
- Class IV: twenty thousand one (20,001) to fifty thousand (50,000) animal units
- Class V: greater than fifty thousand (> 50,000) animal units.

All CAFOs require a conditional use permit following a public hearing before the Planning Commission and the Count Commissioners regardless of classification.

701.2 MINIMUM SEPARATION DISTANCES

Separation distances shall be measured from the nearest point of any manure storage structure, open lot, confinement building, or lagoon to the nearest point of the protected use. All separation distances are uniform in all directions. The directional weighting of setbacks shall not be used to circumvent the intent of these standards.

Given Perkins County's prevailing winds from the southeast, applicants are encouraged to site operations so that prevailing winds carry odors away from non-participating residences, schools, and communities. The Planning Commission may require additional downwind setbacks as a condition of conditional use permit approval where site-specific conditions warrant.

Separation distances from non-participating dwellings, schools, churches, hospitals, and incorporated municipalities:

Classification	Participating Dwellings	Non-Participating Dwellings	Schools / Churches / Hospitals	Incorporated Municipalities
Small-Scale Operation (301–1,000 AU)	50 ft minimum	Per §701.1 notification	Per §701.1 notification	No minimum
Class I (1,001–3,000 AU)	0.375 mile	0.75 mile	1.0 mile	1.0 mile
Class II (3,001–10,000 AU)	0.5 mile	1.0 mile	1.5 miles	1.5 miles
Class III (10,001–20,000 AU)	0.75 mile	1.5 miles	2.0 miles	2.0 miles
Class IV (20,001–50,000 AU)	1.0 mile	2.0 miles	2.5 miles	2.5 miles
Class V (> 50,000 AU)	1.25 miles	2.5 miles	3.0 miles	3.0 miles

Separation distances from participating dwellings:

Participating landowners who have signed a written acknowledgment of the proposed operation and its potential impacts may agree in writing to reduced separation distances. In no case shall the separation distance from a participating dwelling be less than fifty percent (50%) of the non-participating dwelling standard for the applicable classification. Any such written agreement reducing separation distances shall be formalized as an Impact Easement as defined in Section 202, recorded with the Perkins County Register of Deeds, shall describe the benefitted and burdened parcels, and shall run with the land. Upon recording of an Impact Easement, the residence associated with the land on which the easement has been granted shall not be included in the minimum distance measurements specified in the separation distance table above, and the reduced distance established in the easement shall apply in its place. The Zoning Administrator shall maintain a registry of all recorded Impact Easements and shall make this registry available for public inspection. An Impact Easement does not relieve the CAFO operator of any obligation to comply with all applicable NDWEE permit conditions or any other state or federal regulatory requirement.

Separation distances from environmental features:

All classifications:

- Watercourses, streams, and intermittent drainageways: three hundred (300) feet minimum from any manure storage, open lot, or application area
- Wetlands as defined by the Army Corps of Engineers: three hundred (300) feet minimum
- Private water wells: one thousand (1,000) feet minimum from any manure storage structure or lagoon
- Public water supply wells or wellheads: one (1) mile minimum
- Ogallala Aquifer recharge areas as mapped by the Upper Republican NRD: one thousand (1,000) feet minimum from any lagoon or unlined manure storage structure

701.3 PERMIT REQUIREMENTS AND APPLICATION PROCESS

Application Requirements:

All CAFO conditional use permit applications shall include:

- Completed application form with legal description and site plan prepared by a licensed professional engineer or surveyor showing all structures, manure storage facilities, lagoons, setbacks, property lines, wells, watercourses, and neighboring dwellings within the applicable separation distance
- Copy of all state NDWEE permits or pending applications including the CAFO permit and any National Pollutant Discharge Elimination System (NPDES) permit
- Waste management plan prepared in accordance with NDWEE requirements
- Nutrient management plan identifying land application areas and loading rates
- Groundwater protection plan including identification of all wells within one (1) mile and soil permeability analysis for lagoon and waste storage areas
- Odor management plan identifying odor control measures and prevailing wind analysis
- Dead animal disposal plan compliant with Nebraska Department of Agriculture requirements
- Engineering plans for all waste storage structures meeting NDWEE design standards
- Traffic impact analysis if construction requires oversize or overweight loads on county roads
- Payment of applicable permit fee per Appendix A

Public Notice:

- Certified mail notification to all property owners within the applicable separation distance at least forty-five (45) days prior to Planning Commission public hearing
- Published notice in a newspaper of general circulation in Perkins County at least ten (10) days prior to public hearing as required by Nebraska Revised Statutes §23-114.04(1)
- Class III and Class IV operations: mandatory public information meeting in the county seat at least sixty (60) days prior to Planning Commission public hearing; certified mail notification to all property owners within two (2) miles

701.4 OPERATIONAL REQUIREMENTS

All CAFOs shall continuously comply with the following operational standards as conditions of conditional use permit approval:

- Obtain and maintain all required NDWEE, NPDES, and Nebraska Department of Agriculture permits throughout the operational life of the facility; copies of all active permits shall be filed with the Zoning Administrator annually
- Implement and maintain the approved waste management plan; material amendments to the plan require Zoning Administrator review and Planning Commission approval
- Install and maintain groundwater monitoring in accordance with NDWEE requirements; monitoring results shall be submitted to the Zoning Administrator and the Upper Republican NRD concurrently with NDWEE submissions
- Implement and maintain approved odor and dust control systems; operational failures of odor control equipment shall be reported to the Zoning Administrator within forty-eight (48) hours and corrected within thirty (30) days
- Maintain and implement the approved dead animal disposal plan in compliance with Nebraska Department of Agriculture regulations
- Maintain all waste storage structures, lagoons, and application equipment in good working order; structural inspections required annually by a licensed professional engineer for Class III and Class IV operations

701.5 FINANCIAL ASSURANCE

Class I and Class II:

- Performance bond or equivalent financial instrument equal to one hundred percent (100%) of estimated closure and site restoration cost as approved by the Zoning Administrator, required prior to conditional use permit issuance
- Insurance: minimum one million dollars ($1,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within twelve (12) months of cessation of operations or abandonment
- Twelve (12) consecutive months without active livestock operations constitutes abandonment

Class III and Class IV:

- Performance bond or equivalent financial instrument equal to one hundred fifty percent (150%) of estimated closure and site restoration cost as approved by the Zoning Administrator; reviewed and updated every five (5) years; County shall be named obligee on all bonds
- Insurance: minimum two million dollars ($2,000,000) general liability and one million dollars ($1,000,000) environmental impairment liability; Perkins County named as additional insured; evidence of insurance filed with Zoning Administrator annually
- Complete site restoration including closure of all lagoons and waste storage structures in accordance with NDWEE closure requirements within eighteen (18) months of cessation of operations or abandonment
- Twelve (12) consecutive months without active livestock operations constitutes abandonment

701.6 NEIGHBOR PROTECTION

- Class I: written notice to all property owners within one (1) mile prior to conditional use permit hearing
- Class II: written consent required from all property owners within one (1) mile; certified mail notification to all property owners within one and one-half (1.5) miles
- Class III and Class IV: written consent required from all property owners within the full applicable separation distance; certified mail notification to all property owners within two (2) miles; mandatory public information meeting in the county seat at least sixty (60) days prior to Planning Commission hearing
- Property value impact study required for Class III, Class IV, and Class V operations prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.

701.7 MONITORING AND ENFORCEMENT

Inspections:

- Class I and Class II: annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense
- Class III and Class IV: semi-annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense; the Zoning Administrator shall have right of access to all waste management and storage areas upon reasonable notice during normal business hours

Reporting:

- All CAFO operators shall submit an annual compliance report to the Zoning Administrator by March 1 of each year confirming compliance with all permit conditions, NDWEE permit requirements, waste management plan, and financial assurance instruments; copies of all NDWEE inspection reports and violation notices shall be included
- Copies of annual compliance reports shall be submitted concurrently to the Upper Republican NRD

Violations and Penalties:

- First offense: five thousand dollars ($5,000) per day per violation
- Second offense within any twelve (12) month period: ten thousand dollars ($10,000) per day per violation
- Third offense or any offense involving groundwater contamination, lagoon breach, or knowing violation of waste management or financial assurance provisions: permit revocation and referral to NDWEE for state enforcement action
- CAFO-specific penalties supersede the general enforcement penalties of Section 1402 for all violations of this Section

SECTION 702 – HOME OCCUPATIONS

Intent: To allow residents of Perkins County to conduct appropriate business activities from their homes and accessory structures while protecting neighboring properties from commercial impacts incompatible with residential and agricultural character. Home occupations are subordinate and incidental to the residential use of the property. This Section shall be read in conjunction with Section 705 (Cryptocurrency Mining Operations), Section 706 (Data Center Facilities), and Section 707 (AI Server Facilities); uses regulated under those Sections are governed by their specific standards and are not home occupations for purposes of this Section regardless of scale.

702.1 PERMITTED HOME-BASED BUSINESSES

The following uses are permitted as home occupations subject to the standards of this Section:

- Professional offices including legal, financial, consulting, engineering, and similar services conducted primarily by telephone, computer, or appointment
- Personal services such as hair styling, cosmetology, tutoring, music instruction, and similar services provided to clients visiting the home by appointment
- Handicrafts, art, and small-scale manufacturing (not constituting a Small-Scale Use as defined in Section 202) of goods produced primarily by hand on the premises
- Online, e-commerce, and mail-order businesses where goods are not stored in quantities visible from neighboring properties

- Agricultural support services including farm bookkeeping, agronomic consulting, and similar services
- Childcare services for six (6) or fewer children in accordance with applicable state licensing requirements

702.2 PROHIBITED HOME OCCUPATION USES

The following uses are expressly prohibited as home occupations regardless of scale or operational characteristics:

- Motor vehicle repair, body work, painting, or detailing
- Truck terminal, freight transfer, or commercial vehicle storage operations
- Heavy equipment storage, repair, or rental
- Retail sales involving customer traffic to the premises on a regular or recurring basis
- Welding, fabrication, or machine shop operations generating noise or emissions detectable at neighboring property lines
- Kennel or commercial animal boarding operations exceeding the standards of Section 702.1
- Cryptocurrency mining operations exceeding five (5) kilowatts of electrical capacity, which are governed by Section 705
- Data center operations at any scale, which are governed by Section 706
- AI server facility operations at any scale, which are governed by Section 707
- Any use requiring a conditional use permit under these regulations

702.3 STANDARDS FOR OPERATION

All home occupations shall comply with the following standards as conditions of permissibility:

- The home occupation shall be conducted entirely within the principal dwelling or an accessory structure on the same lot; no portion of the home occupation shall be conducted in a detached structure not on the same lot as the principal dwelling
- The residential character of the property shall be maintained; no external alteration of the principal dwelling or accessory structure shall be made that indicates a commercial use or that is not consistent with residential or agricultural character
- No more than two (2) non-resident employees or contractors shall be present at the property at any one time in connection with the home occupation
- No outdoor storage of materials, equipment, inventory, or commercial vehicles associated with the home occupation
- Customer or client visits shall not exceed eight (8) vehicle trips per day to the property; high-traffic commercial uses generating more than eight visits per day are not home occupations and are not permitted under this Section
- Hours of operation involving non-resident employees, deliveries, or customer visits shall be limited to 7:00 AM to 8:00 PM Monday through Saturday; no non-resident employee or customer activity on Sundays or legal holidays
- Noise generated by the home occupation shall not exceed forty-five (45) dBA at any property line during daytime hours and forty (40) dBA at any property line during nighttime hours; tonal or impulsive noise detectable at property lines is prohibited
- No odors, vibrations, glare, electrical interference, or visual impacts detectable beyond the property lines that would not be associated with normal residential or agricultural use
- Adequate on-site parking shall be provided for all employees and clients without requiring vehicles to park on public roads

- Signage shall not exceed four (4) square feet and shall comply with all applicable standards of Section 703; no illuminated signs associated with a home occupation are permitted
- No use of hazardous materials in quantities exceeding those associated with normal household use
- The home occupation shall comply with all applicable state and federal licensing requirements for the type of business conducted
- Agricultural operations conducted on the property are not home occupations and remain governed by Section 409 and all applicable agricultural use standards; right-to-farm protections of Section 409 shall not be limited by complaints arising from home occupation noise or operational standards

702.4 PERMIT REQUIREMENTS

Home occupations that comply with all standards of Section 702.3 do not require a zoning permit. The Zoning Administrator may require a property owner to demonstrate compliance with these standards upon complaint or during routine inspection. A home occupation that does not meet one or more standards of Section 702.3 is not a permitted use and shall be subject to enforcement under Section 1402.

SECTION 703 – SIGNS

Intent: To regulate the size, placement, illumination, and character of signs throughout unincorporated Perkins County in a manner that protects public safety, preserves rural visual character, supports agricultural and commercial communication needs, and maintains the scenic quality of our highways and county roads. Sign regulations shall be the minimum necessary to achieve these purposes consistent with applicable First Amendment protections.

703.1 EXEMPT SIGNS – NO PERMIT REQUIRED

The following signs are permitted in all zoning districts without a zoning permit, provided they comply with the size and placement standards of this Section:

- On-site agricultural identification signs identifying farm or ranch name, operator, and agricultural products: maximum sixteen (16) square feet; one (1) sign per road frontage
- Real estate signs advertising the sale, lease, or rental of the property on which the sign is located: maximum six (6) square feet residential; maximum sixteen (16) square feet agricultural or commercial
- On-site business identification signs for home occupations permitted under Section 702: maximum four (4) square feet; one (1) sign per property
- Directional signs providing navigation to a permitted use on the property: maximum four (4) square feet each; maximum two (2) per road access point
- Temporary signs including political signs, event signs, and seasonal agricultural signs: maximum sixteen (16) square feet; displayed no more than sixty (60) days for any single event or election cycle; removed within seven (7) days after the event or election
- Construction signs identifying the contractor, project name, and financing on an active construction site: maximum thirty-two (32) square feet; removed within seven (7) days of project completion
- Safety and warning signs required by state or federal law or regulation: no size limit
- Governmental signs including road signs, regulatory signs, and public information signs: no size limit

- Crop variety, seed, and agricultural input identification signs on active agricultural fields: maximum four (4) square feet each; removed at the end of the growing season
- Renewable energy and technology facility identification signs required for safety, emergency response, or regulatory compliance under Sections 704 through 707: maximum eight (8) square feet; one (1) sign per road frontage per facility

703.2 SIGNS REQUIRING A ZONING PERMIT

The following signs require a zoning permit prior to installation:

- Commercial identification signs exceeding the exempt thresholds of Section 703.1: agricultural and commercial properties only; not permitted in AG-2 or RR districts except for home occupation signs
- Off-premise advertising signs: permitted only along state highways in AG-1 district; not permitted within two (2) miles of any incorporated municipality or within one (1) mile of any school, church, or cemetery
- Electronic message boards and changeable message signs: permitted in AG-1 district only; subject to the illumination standards of Section 703.4
- Renewable energy project signs exceeding the exempt threshold of Section 703.1: subject to approval as part of the conditional use permit for the underlying facility

703.3 SIGN STANDARDS

Size:

- Maximum sign area for permitted commercial identification signs: thirty-two (32) square feet in AG-1 district; sixteen (16) square feet in AG-2 district
- Maximum sign area for off-premise advertising signs: one hundred (100) square feet; back-to-back or V-configuration signs count as one sign if the interior angle does not exceed thirty (30) degrees
- Maximum sign area for electronic message boards: thirty-two (32) square feet

Height:

- Freestanding signs: maximum twenty-five (25) feet above finished grade at the sign base
- Wall-mounted signs: shall not extend above the roofline of the building to which they are attached
- Off-premise advertising signs: maximum twenty-five (25) feet above finished grade

Setbacks:

- All signs: minimum ten (10) feet from all property lines
- Off-premise advertising signs: minimum three hundred (300) feet from any dwelling; minimum one thousand (1,000) feet from any other off-premise advertising sign measured along the same road frontage; minimum one-half (0.5) mile from any intersection of two (2) state highways

Spacing:

- Off-premise advertising signs: no two signs shall be located within one thousand (1,000) feet of each other along the same road frontage

703.4 ILLUMINATION STANDARDS

- Externally illuminated signs: lighting fixtures shall be fully shielded and directed only onto the sign face; no light trespass measurable at any property line

- Internally illuminated signs: sign face luminance shall not exceed three hundred fifty (350) candelas per square meter during nighttime hours (sunset to sunrise)
- Electronic message boards and changeable message signs: maximum luminance of five thousand (5,000) candelas per square meter during daytime hours; maximum five hundred (500) candelas per square meter during nighttime hours; automatic dimming required; message changes shall not occur more frequently than once every eight (8) seconds; animation, video, and flashing effects are prohibited
- No sign shall use red, green, or blue lighting in a configuration that could be mistaken for traffic control signals or aviation warning lights
- Signs within the AP Airport Protection Overlay District established under Article 6A shall not use lighting that could interfere with pilot visibility or navigational systems

703.5 PROHIBITED SIGNS

The following signs are prohibited throughout unincorporated Perkins County:

- Signs that imitate or could be confused with official traffic control devices or governmental signs
- Signs containing obscene, indecent, or offensive content as defined by applicable law
- Rotating, spinning, or moving signs other than electronic message boards complying with Section 703.4
- Signs attached to utility poles, trees, fences, or other structures not designed for sign support without the consent of the property owner and utility owner
- Snipe signs – signs attached to trees, utility poles, or other structures without property owner consent
- Signs painted directly on the exterior walls of agricultural buildings visible from state or federal highways without a zoning permit
- Off-premise advertising signs within two (2) miles of any incorporated municipality
- Any sign that creates a hazard to vehicular or pedestrian traffic by obstructing sight lines at intersections

703.6 NONCONFORMING SIGNS

Signs lawfully erected prior to the effective date of these regulations that do not conform to current standards may continue as nonconforming structures subject to Article 11. Nonconforming signs shall not be enlarged, relocated, or structurally altered except to bring them into conformance with these regulations. Nonconforming signs that are destroyed or removed shall be replaced only with conforming signs.

703.7 ENFORCEMENT

- Signs erected without a required permit are subject to immediate removal notice by the Zoning Administrator
- The property owner shall remove an unpermitted sign within thirty (30) days of written notice; failure to remove constitutes a violation subject to the penalties of Section 1402
- Temporary signs not removed within the required time period shall be removed by the County at the property owner's expense
- Off-premise advertising sign violations shall be referred to the Nebraska Department of Transportation where the sign is within the state highway right-of-way

SECTION 704 – RENEWABLE ENERGY SYSTEMS

Intent: To regulate battery energy storage, solar energy, and wind energy systems in a manner that protects Perkins County's rural character, prime agricultural land, Ogallala Aquifer, property values, and quality of life, while providing clear and consistent standards for appropriate Small-Scale Uses as herewith defined in Section 202 and agricultural installations, and maintaining the Board of Commissioners' authority to evaluate larger installations through the conditional use permit process. These regulations implement the energy goals and land use policies of the Perkins County Comprehensive Plan 2025–2035.

704.1 DEFINITIONS

Abandonment: Cessation of active energy generation or storage operations for twelve (12) or more consecutive months without a Board-approved suspension agreement, after which decommissioning obligations are triggered under the applicable classification standards.

Battery Energy Storage System (BESS): A device or system of devices that stores electrical energy for later use, including but not limited to lithium-ion, flow battery, and similar electrochemical storage technologies. Excludes single automotive batteries, electric vehicle charging systems, and uninterruptible power supply (UPS) units with less than one (1) kWh of storage capacity.

Baseline Noise Study: A pre-construction study measuring existing ambient noise levels at all non-participating property lines and dwellings within the applicable notification radius, conducted by a qualified acoustical engineer, used to establish the noise environment against which operational compliance is measured.

Curtailment: The temporary reduction or cessation of energy generation or storage activity at the direction of the serving electric utility or grid operator during periods of grid emergency, drought-related irrigation peak demand, or system instability.

Decommissioning: The complete removal of all above-ground structures, below-ground foundations and infrastructure to a minimum of four (4) feet below grade, electrical conduit, and associated equipment, followed by full restoration of the site to pre-construction agricultural condition including re-grading and reseeding with native or agronomic vegetation appropriate to the surrounding land use.

Participating Landowner: A property owner who has entered into a lease agreement, easement, or other written financial arrangement with a renewable energy developer and receives compensation in connection with a renewable energy installation on or adjacent to their property.

Non-Participating Landowner: A property owner located within the applicable setback or notification radius of a renewable energy installation who has not entered into any agreement with the developer and receives no compensation from the project.

Shadow Flicker: The intermittent shadow effect caused by rotating wind turbine blades passing between the sun and a fixed point, measured in hours per year at any given non-participating dwelling or occupied structure.

Solar Energy System: A device or array of devices that convert sunlight into electrical energy, including all associated inverters, electrical infrastructure, mounting systems, and interconnection equipment. Classified by generating capacity into Small Residential, Small Agricultural, Commercial, and Utility-Scale as defined in Section 704.5.

Visual Impact Zone: The area within two (2) miles of any renewable energy installation within which visual impacts on neighboring properties, roadways, and community character must be evaluated as part of the conditional use permit or zoning permit application process.

Wind Energy System: A structure or group of structures, including turbine towers, nacelles, rotors, and associated electrical infrastructure, that converts wind into electrical energy. Classified by generating capacity into Residential/Farm, Small Commercial, and Utility-Scale as defined in Section 704.6.

704.2 PROHIBITED AREAS

The following location restrictions apply to all renewable energy systems regulated under this Section, regardless of classification, unless a more specific standard is provided within the applicable subsection:

- AG-2 Agricultural-Residential and RR Rural Residential zoning districts: small commercial and utility-scale renewable energy systems of all types are prohibited; residential and farm-scale systems are permitted subject to applicable performance standards
- Within one (1) mile of the corporate limits of any incorporated city or village: small commercial and utility-scale systems prohibited; residential and farm-scale systems permitted
- Within one thousand (1,000) feet of any cemetery or church: ground-mounted systems of all classifications prohibited
- Prime agricultural soils classified as Class I or Class II by the Natural Resources Conservation Service (NRCS): ground-mounted systems of all classifications prohibited, with the exception that the Utility-Scale solar installation authorized under Section 704.5 is permitted on Class III or higher soils only
- Within two (2) miles of designated scenic byways: commercial and utility-scale systems prohibited; residential and farm-scale systems permitted subject to enhanced visual screening requirements
- Within two (2) miles of known migratory bird routes or nesting areas as identified by the Nebraska Game and Parks Commission: commercial and utility-scale systems require pre-construction wildlife assessment; all systems subject to post-construction monitoring requirements
- Within FEMA-designated Special Flood Hazard Areas: all ground-mounted systems prohibited
- Within the AP Airport Protection Overlay District established under Article 6A: all systems subject to FAA Part 77 height restrictions and notification requirements; no system shall be constructed without prior FAA aeronautical study determination

704.3 DENSITY LIMITATIONS AND UTILITY-SCALE PROHIBITIONS

Countywide Utility-Scale Renewable Energy Cap: Perkins County may have not more than one (1) active Utility-Scale Solar Energy System and not more than one (1) active Utility-Scale BESS installation at any given time. For purposes of this Section, active means a facility holding a valid conditional use permit or lawfully operating and not fully decommissioned and released from financial assurance.

Utility-Scale Solar Authorization: A Utility-Scale Solar Energy System may be approved only in the AG-1 district, only by conditional use permit, and only where the entire project footprint, including panels, access roads, inverters, collector lines, substations, fencing, laydown areas converted to permanent use, and all other project components, is located on NRCS-mapped Class III+ soils only. No portion of a Utility-Scale Solar Energy System may be located on Class I or Class II soils. **No more than one (1) active Utility-Scale Solar installation is authorized in Perkins County at any given time.** A successor Utility-Scale Solar installation may be approved only after any prior Utility-Scale Solar installation has been fully decommissioned, and all permit closeout obligations have been satisfied.

Utility-Scale BESS Authorization: A Utility-Scale Battery Energy Storage System may be approved only in the AG-1 district, only by conditional use permit, and only where the entire facility footprint, including battery enclosures, pads, transformers, inverter equipment, access drives, substations, and all associated components, is located on NRCS-mapped Class III+ soils only. No portion of a Utility-Scale BESS may be located on Class I or Class II soils. **No more than one (1) active Utility-Scale BESS installation is authorized in Perkins County at any given time.** A co-located Utility-Scale BESS installed with the authorized Utility-Scale Solar installation counts as the one authorized Utility-Scale BESS installation. A successor Utility-Scale BESS may be approved only after any prior Utility-Scale BESS has been fully decommissioned, and all permit closeout obligations have been satisfied.

Utility-Scale Wind: All utility-scale (wind energy systems exceeding five (5) megawatts) are exclusively prohibited. No conditional use permit, variance, or other approval mechanism may be used to authorize a utility-scale wind energy system in Perkins County.

Township Coverage Limit: No more than five percent (5%) of the total land area of any township in Perkins County may be devoted to renewable energy installations of any classification in the aggregate. The Zoning Administrator shall track cumulative renewable energy acreage by township and shall not issue permits that would cause any township to exceed this limit.

Acreage Limit: No single renewable energy project of any classification shall occupy more than two percent (2%) of the total land area of any quarter section in which it is located, exclusive of required setback areas. This limit applies to the project footprint including all panels, turbines, BESS enclosures, access roads, and associated infrastructure, but excluding vegetated buffers and screening areas required under the applicable performance standards.

704.4 BATTERY ENERGY STORAGE SYSTEMS

Classifications:

- Residential: less than or equal to eighty (≤ 80) kWh; zoning permit required. This classification constitutes a Small-Scale Battery Energy Storage System (BESS) as herewith defined in Section 202 (see SMALL-SCALE USE definition, subsection (2).
- Small Commercial: eighty (80) kWh to one (1) MWh, zoning permit with site plan required
- Medium Commercial: one (1) MWh to ten (10) MWh, conditional use permit required
- Utility-Scale: greater than ten (>10) MWh; conditional use permit required; no more than one (1) active Utility-Scale BESS installation is authorized in Perkins County at any time; entire facility footprint must be located on NRCS-mapped Class III+ soils only

Performance Standards:

Height Limits:

- Residential: ten (10) feet maximum for ground-mounted or free-standing installations; wall-mounted systems exempt from height limitation
- Small Commercial: twelve (12) feet maximum for containerized or ground mounted installations
- Medium Commercial: fifteen (15) feet maximum; rooftop mechanical equipment shall be screened from ground-level view from any public road
- Utility-Scale: height established by conditions of the conditional use permit, not to exceed twenty (20) feet; rooftop mechanical equipment shall be screened from ground-level view from any public road

Setbacks:

Residential:

- Property lines: ten (10) feet minimum
- Participating dwellings: five (5) feet minimum
- Non-participating dwellings: fifty (50) feet minimum
- Public roads: twenty-five (25) feet minimum
- State/federal highways: twenty-five (25) feet minimum
- Incorporated municipalities: no minimum distance required
- Watercourses and wetlands: twenty-five (25) feet minimum

Small Commercial:

- Property lines: fifty (50) feet minimum
- Participating dwellings: fifty (50) feet minimum
- Non-participating dwellings: two hundred (200) feet minimum
- Public roads: seventy-five (75) feet minimum
- State/federal highways: one hundred (100) feet minimum
- Incorporated municipalities: one-half (0.5) mile minimum
- Watercourses and wetlands: fifty (50) feet minimum

Medium Commercial:

- Property lines: five hundred (500) feet minimum
- Participating dwellings: one hundred fifty (150) feet minimum
- Non-participating dwellings: one thousand five hundred (1,500) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Utility-Scale:

- Property lines: five hundred (500) feet minimum
- Participating dwellings: one hundred (100) feet minimum
- Non-participating dwellings: one thousand five hundred (1,500) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Noise Standards:

Residential:

- Daytime: forty-five (45) dBA at property line
- Nighttime: forty (40) dBA at property line

Small Commercial:

- Daytime: fifty (50) dBA at property line
- Nighttime: forty (40) dBA at property line
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time

Medium Commercial:

- Daytime: fifty (50) dBA at property line
- Nighttime: forty (40) dBA at property line
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Baseline noise study required prior to conditional use permit hearing

Utility-Scale:

- Daytime: fifty (50) dBA at property line
- Nighttime: forty (40) dBA at property line
- Maximum forty (40) dBA at any non-participating dwelling measured at any time
- Baseline noise study required prior to conditional use permit hearing
- Quarterly noise monitoring at operator expense for first three (3) years of operation

Visual Requirements:

Residential:

- Earth tone or muted finish required on all exposed equipment and enclosures
- No commercial signage permitted

Small Commercial:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- No visible electrical infrastructure from public roads where technically feasible
- Security fencing screened with native vegetation maintained at minimum six (6) feet in height within three (3) years of planting, not to exceed ten (10) feet

Medium Commercial:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- Complete visual screening from public roads required
- Earth berming minimum four (4) feet in height above finished grade along all road-facing boundaries
- Native vegetation screening minimum thirty (30) feet wide along all road-facing boundaries; maintained at minimum height of eight (8) feet within five (5) years of planting, not to exceed fifteen (15) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link or fencing visible from public roads prohibited
- Fully shielded downward-directed lighting; no light trespass measurable at property lines

Utility-Scale:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- Complete visual screening from public roads and neighboring properties required
- Earth berming minimum six (6) feet in height above finished grade along all road-facing and residential-facing boundaries
- Native vegetation screening minimum fifty (50) feet wide along all road-facing and residential-facing boundaries; maintained at minimum height of ten (10) feet within five (5) years of planting, not to exceed twenty (20) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited; decorative tubular steel or agricultural-compatible fencing preferred
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at property lines
- Landscape plan prepared by a licensed landscape architect required as condition of conditional use permit approval

Fire Safety Standards:

Residential:

- Fire suppression system required for installations greater than twenty (20) kWh
- Emergency shutoff accessible from exterior of structure or enclosure
- Emergency response information filed with local fire department prior to energization

Small Commercial:

- Automatic fire detection system required
- Fire suppression system required for all enclosed installations
- Emergency shutoff accessible from exterior of all enclosures
- Emergency response plan filed with local fire department prior to energization
- Compliance with NFPA 855 standard for stationary energy storage systems required

Medium Commercial:

- Automatic fire detection and suppression systems required meeting NFPA 855 standards
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Secondary containment sized to one hundred ten percent (110%) of total electrolyte volume required
- Compliance with NFPA 855 standard for stationary energy storage systems required

Utility-Scale:

- Automatic fire detection and suppression systems required meeting NFPA 855 standards
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Secondary containment sized to one hundred ten percent (110%) of total electrolyte volume required
- All venting directed away from neighboring properties; facility oriented so prevailing southeast winds carry venting events away from residential areas
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance
- Compliance with NFPA 855 standard for stationary energy storage systems required
- Separation of minimum five hundred (500) feet between BESS installation boundary and any solar array boundary where co-located with a solar energy system

Environmental Standards:

Residential:

- No environmental study required
- Stormwater management plan required for ground-mounted installations exceeding one thousand (1,000) square feet of impervious surface

Small Commercial:

- Stormwater management plan required prior to permit issuance
- Spill prevention, countermeasure, and control (SPCC) plan required for all installations utilizing liquid-based battery chemistries

Medium Commercial:

- Stormwater management plan required prior to conditional use permit hearing
- Spill prevention, countermeasure, and control (SPCC) plan required and filed with NDWEE prior to energization
- Environmental impact assessment required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator by March 1 of each year

Utility-Scale:

- Stormwater management plan required prior to conditional use permit hearing
- Spill prevention, countermeasure, and control (SPCC) plan required and filed with NDWEE prior to energization
- Full environmental impact assessment required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator and NDWEE by March 1 of each year
- Groundwater monitoring wells required at facility boundary; quarterly groundwater sampling required at operator expense for full operational life of facility

Financial Assurance:

Residential:

- No decommissioning bond required
- Removal of all equipment within six (6) months of abandonment required at owner expense

Small Commercial:

- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance
- Complete site restoration within six (6) months of abandonment or cessation of operations

Medium Commercial:

- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years
- Insurance: minimum two million dollars ($2,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within twelve (12) months of abandonment or cessation of operations

Utility-Scale:

- Decommissioning bond equal to two hundred percent (200%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every three (3) years; County shall be named obligee on all bonds
- Insurance: minimum twenty-five million dollars ($25,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within eighteen (18) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active operation constitutes abandonment

Neighbor Protection:

Residential:

- No written consent requirement
- Written notice to immediately adjacent property owners prior to permit issuance

Small Commercial:

- Written notice required to all property owners within five hundred (500) feet prior to permit issuance

Medium Commercial:

- Written consent required from all property owners within one-half (1/2) of a mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within one (1) mile

Utility-Scale:

- Written consent required from all property owners within one (1) mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within two (2) miles
- Mandatory public information meeting in the county seat at least sixty (60) days prior to conditional use permit hearing
- Maximum one (1) active Utility-Scale BESS installation permitted in Perkins County at any time; the entire Utility-Scale BESS footprint shall be located on NRCS-mapped Class III soils only

704.5 SOLAR ENERGY SYSTEMS

Classifications:

- Residential: less than or equal to twenty-five (≤ 25) kW, roof mounted or ground mounted
- Small Commercial Solar: twenty-five to two hundred (25-200) kW, special permit required
- Medium Commercial Solar: two hundred (200) kW to five (5) MW, conditional use permit required
- Utility-Scale: greater than five (> 5) MW. No more than one (1) active Utility-Scale Solar installation is authorized in Perkins County at any given time. The entire project footprint shall be located on NRCS mapped Class III+ soils only; conditional use permit required

Performance Standards:

Height Limits:

- Roof-mounted (all classifications): maximum three (3) feet above existing roofline
- Ground-mounted Residential: eight (8) feet maximum
- Ground-mounted Small Commercial Solar: twelve (12) feet maximum
- Ground-mounted Medium Commercial Solar: fifteen (15) feet maximum
- Ground-mounted Utility-Scale: thirty (30) feet maximum
- Tracking systems: dual-axis and multi-axis tracking systems permitted for Commercial and Utility-Scale classifications only; single-axis tracking permitted for Small Agricultural; no tracking systems permitted for Small Residential

Setbacks:

Residential:

- Property lines: twenty-five (25) feet minimum
- Participating dwellings: ten (10) feet minimum
- Non-participating dwellings: fifty (50) feet minimum
- Public roads: twenty-five (25) feet minimum
- State/federal highways: twenty-five (25) feet minimum
- Incorporated municipalities: no minimum distance required
- Watercourses and wetlands: twenty-five (25) feet minimum

Small Commercial Solar:

- Property lines: fifty (50) feet minimum
- Participating dwellings: twenty-five (25) feet minimum
- Non-participating dwellings: one hundred (100) feet minimum
- Public roads: one hundred (100) feet minimum
- State/federal highways: one hundred (100) feet minimum
- Incorporated municipalities: one-half (0.5) mile minimum
- Watercourses and wetlands: fifty (50) feet minimum

Medium Commercial Solar:

- Property lines: two hundred (200) feet minimum
- Participating dwellings: fifty (50) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one (1) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Schools, churches, and hospitals: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Utility-Scale:

- Property lines: two hundred (200) feet minimum
- Participating dwellings: one hundred (100) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one (1) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Schools, churches, and hospitals: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Noise Standards:

Residential:

- Daytime: fifty (50) dBA at property line
- Nighttime: forty-five (45) dBA at property line

Small Commercial Solar:

- Daytime: fifty (50) dBA at property line
- Nighttime: forty-five (45) dBA at property line
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time

Medium Commercial Solar:

- Daytime: fifty-five (55) dBA at property line
- Nighttime: forty-five (45) dBA at property line
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Baseline noise study required prior to conditional use permit hearing

Utility-Scale:

- Daytime: fifty-five (55) dBA at property line
- Nighttime: forty-five (45) dBA at property line
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Baseline noise study required prior to conditional use permit hearing
- Quarterly noise monitoring at operator expense for first three (3) years of operation

Visual Requirements:

Residential:

- Anti-reflective coatings required on all panels
- No commercial signage permitted
- No additional screening required

Small Commercial Solar:

- Anti-reflective coatings and dark-colored frames required
- No commercial signage permitted
- No visible electrical infrastructure from public roads where technically feasible
- Where vegetation screening is provided it shall be maintained at a minimum height of six (6) feet within five (5) years of planting, not to exceed ten (10) feet

Medium Commercial Solar:

- Anti-reflective coatings and dark-colored frames required
- No commercial signage permitted
- Complete visual screening from public roads and neighboring properties required
- Earth berming minimum four (4) feet in height above finished grade along all road-facing boundaries
- Native vegetation screening minimum fifty (50) feet wide along all road-facing boundaries; maintained at minimum height of eight (8) feet within five (5) years of planting, not to exceed fifteen (15) feet
- No visible infrastructure or electrical equipment from public roads or neighboring properties
- Fully shielded downward-directed lighting; no light trespass measurable at property lines

Utility-Scale:

- Anti-reflective coatings and dark-colored frames required
- No commercial signage permitted
- Complete visual screening from public roads and neighboring properties required
- Earth berming minimum six (6) feet in height above finished grade along all road-facing and residential-facing boundaries
- Native vegetation screening minimum seventy-five (75) feet wide along all road-facing and residential-facing boundaries; maintained at minimum height of ten (10) feet within five (5) years of planting, not to exceed twenty (20) feet
- No visible infrastructure or electrical equipment from public roads or neighboring properties
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at property lines
- Landscape plan prepared by a licensed landscape architect required as condition of conditional use permit approval

Fire Safety Standards:

Residential:

- No fire suppression system required
- Emergency shutoff accessible from exterior of any ground-mounted electrical enclosure
- Emergency response information filed with local fire department prior to energization where battery storage is included

Small Commercial Solar:

- Emergency shutoff accessible from exterior of all electrical enclosures
- Emergency response plan filed with local fire department prior to energization
- Where battery storage is included, compliance with NFPA 855 required

Medium Commercial Solar:

- Automatic fire detection system required for all enclosed electrical infrastructure
- Emergency shutoff accessible from exterior of all enclosures
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Where battery storage is included, compliance with NFPA 855 required

Utility-Scale:

- Automatic fire detection and suppression systems required for all enclosed electrical infrastructure
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Where battery storage is included, secondary containment sized to one hundred ten percent (110%) of total electrolyte volume required and compliance with NFPA 855 required
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance

Environmental Standards:

Residential:

- No environmental study required
- Stormwater management plan required for ground-mounted installations exceeding one thousand (1,000) square feet of impervious surface

Small Commercial Solar:

- Stormwater management plan required prior to permit issuance
- Soil restoration bond equal to one hundred percent (100%) of installation cost
- Annual soil testing during operation; soil report delivered to Zoning Administrator by March 1 of each year

Medium Commercial Solar:

- Stormwater management plan required prior to conditional use permit hearing
- Environmental impact assessment required prior to conditional use permit hearing
- Prime farmland (Class I and Class II soils) prohibited for all ground-mounted installations
- Soil restoration bond equal to two hundred percent (200%) of installation cost
- Pre-construction soil baseline study required as condition of approval
- Annual soil testing during operation; soil report delivered to Zoning Administrator by March 1 of each year

Utility-Scale:

- Stormwater management plan required prior to conditional use permit hearing
- Full environmental impact assessment required prior to conditional use permit hearing
- Confined to Class III or higher soils; prime farmland (Class I and Class II soils) prohibited
- Soil restoration bond equal to two hundred percent (200%) of installation cost
- Pre-construction soil baseline study required as condition of approval
- Annual soil testing during operation; soil report delivered to Zoning Administrator by March 1 of each year
- Dual-use agricultural production such as livestock grazing or pollinator habitat strongly encouraged and may be required as a condition of conditional use permit approval consistent with the project description approved by the Board of Commissioners

Financial Assurance:

Residential:

- No decommissioning bond required
- Removal of all equipment within six (6) months of abandonment required at owner expense

Small Commercial Solar:

- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance
- Complete site restoration within six (6) months of abandonment or cessation of operations

Medium Commercial Solar:

- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years
- Insurance: minimum two million dollars ($2,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within twelve (12) months of abandonment or cessation of operations

Utility-Scale:

- Decommissioning bond equal to two hundred percent (200%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every three (3) years; County shall be named obligee on all bonds
- Insurance: minimum ten million dollars ($10,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within eighteen (18) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active power generation constitutes abandonment

Neighbor Protection:

Residential:

- No written consent requirement
- Written notice to immediately adjacent property owners prior to permit issuance

Small Commercial Solar:

- Written notice required to all property owners within five hundred (500) feet prior to permit issuance

Medium Commercial Solar:

- Written consent required from all property owners within one-half (1/2) of a mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within one (1) mile

Utility-Scale:

- Written consent required from all property owners within one (1) mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within two (2) miles
- Mandatory public information town hall meeting in the county seat at least sixty (60) days prior to conditional use permit hearing
- Maximum one (1) active Utility-Scale Solar installation permitted in Perkins County at any time; the entire project footprint shall be located on NRCS-mapped Class III soils only

704.6 WIND ENERGY SYSTEMS

Classifications:

- Residential: less than or equal to one hundred (≤ 100) kW; special use permit (zoning permit) required. This classification constitutes a Small Scale Wind Energy System as herewith defined in Section 202 (see SMALL-SCALE USE definition, subsection (4)).
- Small Commercial: one hundred (100) kW to five (5) MW, conditional use permit required
- Utility-Scale: greater than five (>5) MW, exclusively prohibited

Performance Standards:

Height Limits:

- Residential: one hundred twenty (120) feet maximum total height
- Small Commercial: height established by conditions of the conditional use permit, not to exceed two hundred (200) feet total height
- Utility-Scale: prohibited; no height standard applicable

Setbacks:

Residential:

- Property lines: three times (3.0 x) total height minimum
- Participating dwellings: two times (2.0 x) total height minimum
- Non-participating dwellings: five times (5.0 x) total height minimum
- Public roads: two times (2.0 x) total height minimum
- State/federal highways: three times (3.0 x) total height minimum
- Incorporated municipalities: one-half (0.5) mile minimum
- Schools, churches, hospitals: one-half (0.5) mile minimum
- Watercourses and wetlands: one hundred (100) feet minimum
- Airports: subject to Article 6A AP Overlay District requirements

Small Commercial:

- Non-participating property lines: one and one-half times (1.5 x) total height + five hundred (500) feet
- Participating property lines: one times (1.0 x) total height minimum
- Non-participating dwellings: two times (2.0 x) (tower height + rotor diameter) + five hundred (500) feet
- Participating dwellings: one times (1.0 x) total height minimum
- Public roads: one thousand (1,000) feet from county roads
- State/federal highways: one-half (0.5) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum
- Airports: three (3) miles minimum, subject to Article 6A AP Overlay District requirements

Noise Standards:

Residential:

- Daytime: forty (40) dBA at property line
- Nighttime: thirty-five (35) dBA at property line

Small Commercial:

- Daytime: forty-five (45) dBA at property line
- Nighttime: forty (40) dBA at property line
- Maximum forty (40) dBA at any non-participating dwelling measured at any time
- Baseline noise study required prior to conditional use permit hearing

Visual Requirements:

Residential:

- Earth tone or muted finish on tower and blades required
- No commercial signage or lighting except as required by FAA
- No additional screening required

Small Commercial:

- Earth tone or muted finish on all towers, nacelles, and blades required
- No commercial signage permitted
- FAA-required lighting shall be motion-activated where permitted by FAA regulations
- No visible above-ground electrical infrastructure from public roads where technically feasible
- Landscape screening at base of each turbine: native vegetation maintained at minimum height of six (6) feet within five (5) years of planting, not to exceed fifteen (15) feet; minimum twenty-five (25) feet wide around turbine base

Fire Safety Standards:

Residential:

- Emergency shutoff accessible from exterior of all electrical enclosures and at base of tower
- Emergency response information filed with local fire department prior to energization

Small Commercial:

- Automatic fire detection system required within nacelle and all ground-level electrical enclosures
- Emergency shutoff accessible from exterior of all enclosures and at base of each tower
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance

Environmental Standards:

Residential:

- Shadow flicker: maximum ten (10) hours per year at any non-participating dwelling
- Wildlife assessment: pre-construction site assessment required; one (1) year minimum monitoring for bat activity
- Stormwater management plan required for all access roads and foundation areas

Small Commercial:

- Shadow flicker: maximum ten (10) hours per year at any non-participating dwelling; automatic curtailment controls required to enforce compliance
- Wildlife studies: three (3) year pre-construction monitoring required for avian and bat species; post-construction mortality monitoring required for first three (3) years of operation at operator expense
- Stormwater management plan required prior to conditional use permit hearing
- Environmental impact assessment required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator by March 1 of each year

Financial Assurance:

Residential:

- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance
- Complete removal of all above-ground and below-ground infrastructure to four (4) feet below grade within six (6) months of abandonment
- Twelve (12) consecutive months without active power generation constitutes abandonment

Small Commercial:

- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years; County shall be named obligee on all bonds
- Insurance: minimum five million dollars ($5,000,000) general liability per turbine; Perkins County named as additional insured
- Complete removal of all above-ground and below-ground infrastructure to four (4) feet below grade and full site restoration within twelve (12) months of abandonment
- Twelve (12) consecutive months without active power generation constitutes abandonment

Neighbor Protection:

Residential:

- No written consent requirement
- Written notice to all property owners within five hundred (500) feet prior to permit issuance

Small Commercial:

- Written consent required from all property owners within one thousand (1,000) feet
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within two (2) miles
- Mandatory public information meeting in the county seat at least forty-five (45) days prior to conditional use permit hearing

704.7 APPLICATION AND APPROVAL PROCESS

Public Notice Requirements:

Residential/Farm-Scale and Small Residential systems:

- Written notice to all immediately adjacent property owners prior to permit issuance
- No public hearing required unless requested by an adjacent property owner within fifteen (15) days of notice

Small Agricultural and Small Commercial Wind systems:

- Certified mail notification to all property owners within five hundred (500) feet at least thirty (30) days prior to permit issuance
- No mandatory public hearing required; Zoning Administrator may refer to Planning Commission if significant neighbor concerns are raised

Commercial Solar, Medium Commercial BESS, and Small Commercial Wind systems requiring a conditional use permit:

- Certified mail notification to all property owners within one (1) mile at least forty-five (45) days prior to Planning Commission public hearing
- Published notice in a newspaper of general circulation in Perkins County at least ten (10) days prior to public hearing as required by Nebraska Revised Statutes §23-114.04(1)
- Mandatory public hearing before the Planning Commission required prior to conditional use permit approval

Utility-Scale Solar and Utility-Scale BESS:

- Certified mail notification to all property owners within two (2) miles at least sixty (60) days prior to Planning Commission public hearing
- Published notice in a newspaper of general circulation in Perkins County at least ten (10) days prior to public hearing as required by Nebraska Revised Statutes §23-114.04(1)
- Mandatory public information town hall meeting in the county seat at least sixty (60) days prior to Planning Commission public hearing
- Mandatory public hearing before the Planning Commission followed by a separate public hearing before the County Board of Commissioners prior to conditional use permit approval

Application Requirements by Classification:

Residential/Farm-Scale and Small Residential Solar:

- Completed application form with site sketch showing system location, setbacks, and property lines
- Manufacturer specifications for all major system components
- Payment of applicable permit fee per Appendix A

Small Agricultural Solar and Residential/Farm Wind:

- Completed application form with site plan prepared by a licensed surveyor or engineer showing all setbacks, property lines, and existing structures
- Manufacturer specifications for all major system components
- Stormwater management plan where required under Section 704.5 or 704.6
- Payment of applicable permit fee per Appendix A

Small Commercial BESS, Commercial Solar, and Small Commercial Wind:

- Completed application form with site plan prepared by a licensed professional engineer showing all setbacks, property lines, existing structures, access roads, and utility connections
- Professional survey confirming all required setbacks are met
- Environmental impact assessment as required under the applicable classification standards
- Baseline noise study prepared by a qualified acoustical engineer
- Property value impact analysis prepared by a licensed Nebraska appraiser
- Visual impact simulation with three hundred sixty (360) degree viewshed analysis extending to the applicable notification radius
- Traffic impact study if construction requires oversize or overweight loads on county roads
- Utility capacity verification letter from the serving electric cooperative or public power district
- Stormwater management plan
- Emergency response plan filed concurrently with the Perkins County Emergency Manager
- Payment of applicable permit fee per Appendix A

Medium Commercial BESS:

- All requirements of the Small Commercial BESS classification above
- Spill prevention, countermeasure, and control (SPCC) plan
- Secondary containment design documentation
- Groundwater impact assessment given proximity to Ogallala Aquifer

Utility-Scale Solar and Utility-Scale BESS:

- All requirements of the Commercial Solar and Medium Commercial BESS classifications above as applicable
- Full environmental impact assessment
- Landscape plan prepared by a licensed landscape architect
- Road use agreement executed with Perkins County prior to commencement of construction
- Development agreement with Perkins County Board of Commissioners establishing road use fees, utility upgrade cost sharing, fire mitigation fund contribution, and local hiring commitments
- Water use permit from the applicable Natural Resources District where groundwater will be used
- Decommissioning cost estimate prepared by a qualified independent engineer
- Proof of financial assurance instruments meeting the requirements of Section 704.4 or 704.5 as applicable prior to permit issuance

704.8 FINANCIAL ASSURANCE

Financial assurance requirements including decommissioning bonds, insurance minimums, site restoration timelines, and abandonment definitions are established within each applicable classification section as follows:

- Battery Energy Storage Systems: Section 704.4 Financial Assurance
- Solar Energy Systems: Section 704.5 Financial Assurance
- Wind Energy Systems: Section 704.6 Financial Assurance

All financial assurance instruments shall name Perkins County as obligee or additional insured as specified within each classification section. No zoning permit or conditional use permit shall be issued until all required financial assurance instruments have been submitted to and accepted by the Zoning Administrator. The Zoning Administrator shall maintain copies of all active financial assurance instruments and shall notify the County Board within thirty (30) days of any lapse, cancellation, or material reduction in coverage.

704.9 MONITORING AND ENFORCEMENT

Inspections:

- Residential and Small Residential systems: inspection upon permit completion; no ongoing inspection schedule required
- Small Agricultural and Small Commercial Wind systems: inspection upon permit completion; complaint-driven inspections thereafter at operator expense
- Commercial Solar, Medium Commercial BESS, and Small Commercial Wind systems: annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense
- Utility-Scale Solar and Utility-Scale BESS: semi-annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense for the first five (5) years of operation; annual inspections thereafter

Noise Monitoring:

- Residential and farm-scale systems: noise monitoring upon complaint at operator expense
- Small Agricultural and Small Commercial Wind systems: noise monitoring upon complaint at operator expense; results submitted to Zoning Administrator within thirty (30) days of monitoring
- Commercial Solar, Medium Commercial BESS, and Small Commercial Wind systems: annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year
- Utility-Scale Solar and Utility-Scale BESS: quarterly noise monitoring at operator expense for first three (3) years of operation; annual monitoring thereafter; results submitted to Zoning Administrator within thirty (30) days of each monitoring event

Reporting:

- All conditional use permit holders shall submit an annual compliance report to the Zoning Administrator by March 1 of each year confirming continued compliance with all permit conditions, setbacks, noise standards, insurance coverage, and financial assurance instruments
- Utility-Scale permit holders shall submit copies of annual reports concurrently to the Zoning Administrator and the applicable Natural Resources District

Violations and Penalties:

- First offense: five thousand dollars ($5,000) per day per violation
- Second offense within any twelve (12) month period: ten thousand dollars ($10,000) per day per violation
- Third offense or any offense involving knowing or willful violation of decommissioning, financial assurance, fire safety, or water use provisions: permit revocation
- Upon permit revocation, the operator shall commence decommissioning within thirty (30) days and complete decommissioning within the timeline established in the applicable classification section
- These renewable energy system-specific penalties supersede the general enforcement penalties of Section 1402 for all violations of Section 704

704.10 SPECIAL PROVISIONS

Grandfathering: Renewable energy installations lawfully permitted and constructed prior to the effective date of this amendment may continue to operate as nonconforming uses subject to the provisions of Article 11. No expansion of a nonconforming installation that increases generating capacity, occupied footprint, or height is permitted without full compliance with current standards. The LightSource bp utility-scale solar project conditionally approved by the Perkins County Board of Commissioners prior to the effective date of this amendment is recognized as a lawfully approved conforming installation and is not subject to nonconforming use limitations; it shall operate in full conformance with its conditional use permit conditions.

Complaint-Driven Review: If three (3) or more verified written complaints from separate non-participating property owners are received by the Zoning Administrator within any twelve (12) month period regarding a single installation, the Zoning Administrator shall schedule a compliance review hearing before the Planning Commission within sixty (60) days. The Planning Commission may recommend additional conditions, require corrective action, or refer the matter to the County Board for permit revocation proceedings. A complaint-driven review does not constitute a moratorium and does not suspend the operator's right to continue operations during the review period unless an imminent threat to public health or safety is found.

Cumulative Township Coverage: No more than five percent (5%) of the total land area of any township in Perkins County may be devoted to renewable energy installations of any classification in the aggregate, consistent with Section 704.3. The Zoning Administrator shall maintain a current accounting of permitted renewable energy acreage by township and shall publish this information annually.

Coordination with Natural Resources District: The Zoning Administrator shall notify the Upper Republican Natural Resources District of all conditional use permit applications for Commercial, Medium Commercial BESS, Utility-Scale Solar, and Utility-Scale BESS installations within thirty (30) days of application receipt, and shall provide the NRD an opportunity to comment prior to any public hearing.
Statutory Savings Clause: Nothing in Section 704 shall be interpreted to prohibit the County from considering a request for solar or wind-related relief authorized by Nebraska Revised Statutes §66-914. Any such relief must be limited to the minimum necessary to satisfy the statute and must not waive standards unrelated to solar or wind access.
Amendment of Utility-Scale Authorizations: The single utility-scale solar authorization and single utility-scale BESS authorization established in Section 704.3 may only be amended by formal amendment of this ordinance following the full public hearing process required by Nebraska Revised Statutes §23-114.

Concentrated Solar Power (CSP) Prohibition: Concentrated Solar Power systems – including parabolic trough, solar power tower, enclosed trough, Fresnel reflectors, and Dish Stirling technologies – are prohibited within Perkins County. This prohibition applies to all zoning districts and may not be waived by variance, conditional use permit, or any other approval mechanism. This prohibition does not apply to small-scale solar thermal systems (not regulated as Solar Energy Systems under this Section; see Section 202 for definitions) used solely for on-site hot water heating at residential or agricultural uses.

Net Metering Rights: Applicants for any Individual Solar Conversion System (ISCS) classified as Small Residential or Small Agricultural that will be interconnected with the electric utility grid shall provide the Zoning Administrator with evidence that they have in place a working Net Metering agreement with the applicable electric utility prior to issuance of a Certificate of Compliance. For purposes of these regulations, Net Metering means a system of metering electricity in which a local distribution utility credits a customer-generator at the applicable retail rate for each kilowatt-hour produced by a qualified facility during a billing period up to the total of the customer-generator's electricity requirements during that billing period, and compensates the customer-generator for net excess generation at a rate equal to the electric utility's avoided cost of electric supply over the billing period. All monetary credits shall be applied to the bills of the customer-generator for the preceding billing period and shall offset the cost of energy owed by the customer-generator. This provision is not intended to supersede or modify any rights established by Nebraska Revised Statutes §§70-2001 through 70-2005, as amended.

Solar Access Easements for Ground-Mounted Small Residential Systems: Any ground-mounted Small Residential Solar Energy System shall have an agreed-to solar access easement, on the south side of the yard, from any neighboring properties whose structures could reasonably shade the solar installation. Said easement shall be filed as an instrument to each affected property's deed and shall remain in place as long as the ground-mounted solar energy system is in place and operational. The Zoning Administrator shall confirm that a solar access easement has been executed or that no neighboring shading concern exists prior to issuance of a Certificate of Compliance.

Preexisting Solar Panels: Notwithstanding noncompliance with the requirements of this Section, a solar panel or solar energy system erected prior to the adoption of these regulations pursuant to a valid zoning permit issued by Perkins County may continue to be utilized so long as it is maintained in operational condition. Such installations are subject to the nonconforming use and structure provisions of Article 11.

Neighborhood Solar Conversion Systems (NSCS) – Additional Requirements: When a Small Agricultural or Commercial Solar Energy System is designed to serve a specific neighborhood or planned development as a Neighborhood Solar Conversion System, the following additional requirements apply in addition to the applicable classification standards of Section 704.5:

- An NSCS shall be set on its own lot within the neighborhood or development.
- The NSCS shall be designed and constructed for no more than the anticipated maximum solar usage in the designated neighborhood or development.
- No excess power generated shall be sold or given to a user outside the agreed-upon neighborhood or development, except via a Net Metering agreement with the applicable electric utility.
- The developer shall provide Perkins County with all solar easements established within the neighborhood; however, Perkins County shall not be responsible for enforcing those easements.
- All solar easements shall be enforced by an established Homeowners Association for the development or neighborhood. A Homeowners Association duly formed under Nebraska law shall be established prior to the issuance of a Certificate of Compliance for an NSCS.
- A ground-mounted NSCS shall be protected with fencing or bollards.
- All connections to the uses within the neighborhood shall be made underground, protected by a utility easement or located within prescribed rights-of-way.
- An access agreement between the developer, Homeowners Association, and the electric utility shall exist in case of an emergency.
- A Net Metering agreement between the developer, Homeowners Association, and the electric utility shall exist in case of excess electricity generation.
- All ground-mounted NSCS installations shall have an agreed-to solar access easement from any neighboring properties. That easement shall be filed as an instrument to each property's deed and shall remain in place as long as the ground-mounted NSCS is in place and operational.
- The developer shall install all underground wiring as prescribed by the electric utility and shall provide Perkins County with as-built drawings of the wiring locations within the development.

SECTION 705 – CRYPTOCURRENCY MINING OPERATIONS

Intent: To regulate cryptocurrency mining operations in a manner consistent with the standards established for other technology-intensive land uses in Perkins County, protecting rural character, neighboring properties, prime agricultural land, electrical infrastructure capacity, and quality of life while allowing appropriate home-based, small commercial, and industrial operations in compatible locations. These regulations shall be read in conjunction with Section 706 (Data Center Facilities) and Section 707 (AI Server Facilities) and applied consistently with the standards of those sections where comparable uses or impacts are present.

705.1 CLASSIFICATIONS

Home-Based Mining: Operations using less than or equal to five (≤ 5) kilowatts of electrical capacity, contained entirely within a principal dwelling or accessory structure on the same lot, and operated by the property resident. Permitted in AG-1, AG-2, and RR districts as an accessory use. No zoning permit required if all applicable performance standards of this Section are met. This classification constitutes a Small-Scale Cryptocurrency Mining operation as herewith defined in Section 202 (see SMALL-SCALE USE definition, subsection (5)).

Small Commercial Mining: Operations using greater than five (> 5) kilowatts but less than or equal to one hundred (≤ 100) kilowatts of electrical capacity. Permitted in AG-1 district only. Requires a zoning permit and site plan approval.

Medium Commercial Mining: Operations using greater than one hundred (> 100) kilowatts but less than or equal to five hundred (≤ 500) kilowatts of electrical capacity, including containerized mining facilities, warehouse-scale operations, and facilities utilizing dedicated electrical substations. Permitted in AG-1 district only. Requires a conditional use permit following a public hearing before the Planning Commission and County Commissioners.

Utility-Scale Mining: Operations using greater than five hundred (> 500) kilowatts of electrical capacity, including large warehouse-scale operations and facilities utilizing dedicated electrical substations. permitted only in the AG-1 district; permitted only where the entire facility footprint is located on NRCS-mapped Class III soils only; **no more than one (1) active Utility-Scale Cryptocurrency Mining Operation is authorized in Perkins County at any given time.** A successor Utility-Scale Cryptocurrency Mining Operation may be approved only after any prior Utility-Scale Cryptocurrency Mining Operation has been fully decommissioned and all permit closeout obligations have been satisfied. Requires a conditional use permit following a public hearing before the Planning Commission and County Commissioners.

705.2 PROHIBITED AREAS

The following location restrictions apply to Small Commercial and Medium Commercial Mining operations. Home-Based Mining is exempt from these restrictions provided all performance standards of this Section are met:

- AG-2 Agricultural-Residential and RR Rural Residential zoning districts: prohibited
- Within one (1) mile of the corporate limits of any incorporated city or village: prohibited
- Within one thousand (1,000) feet of any school, church, or hospital: prohibited
- Within FEMA-designated Special Flood Hazard Areas: prohibited
- Utility-Scale Mining operations are permitted only where the entire facility footprint is located on NRCS-mapped Class III soils. Utility-Scale Mining is prohibited on Class I, Class II, and all other non-Class III soils. Small Commercial and Medium Commercial Mining remain subject to the standards of this Section and any additional permit conditions imposed to protect agricultural land and neighboring uses.

- Within the AP Airport Protection Overlay District established under Article 6A: all operations subject to FAA Part 77 height restrictions and notification requirements; operations that generate electromagnetic interference with navigational signals or radio communications are prohibited

705.3 PERFORMANCE STANDARDS

Height Limits:

- Home-Based Mining: no separate height limit; subject to applicable district height standards
- Small Commercial Mining: thirty-five (35) feet maximum for any structure or containerized unit
- Medium Commercial Mining: forty (40) feet maximum for any structure or containerized unit; rooftop mechanical and cooling equipment shall be screened from ground-level view from any public road
- Utility-Scale Mining: forty (40) feet maximum for any structure or containerized unit; rooftop mechanical and cooling equipment shall be screened from ground-level view from any public road

Setbacks:

Home-Based Mining:

- Property lines: ten (10) feet minimum
- Participating dwellings: five (5) feet minimum
- Non-participating dwellings: fifty (50) feet minimum
- Public roads: twenty-five (25) feet minimum
- State/federal highways: twenty-five (25) feet minimum
- Incorporated municipalities: no minimum distance required
- Watercourses and wetlands: twenty-five (25) feet minimum

Small Commercial Mining:

- Property lines: three hundred (300) feet minimum
- Participating dwellings: fifty (50) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum
- Public roads: three hundred (300) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Schools, churches, hospitals: one thousand (1,000) feet minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Medium Commercial Mining:

- Property lines: three hundred (300) feet minimum
- Participating dwellings: one hundred (100) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum
- Public roads: three hundred (300) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Incorporated municipalities: one (1) mile minimum
- Schools, churches, hospitals: one thousand (1,000) feet minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Utility-Scale Mining:

- Property lines: three hundred (300) feet minimum
- Participating dwellings: one hundred fifty (150) feet minimum
- Non-participating dwellings: one thousand three hundred twenty (1,320) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one (1) mile minimum
- Incorporated municipalities: two (2) miles minimum
- Schools, churches, hospitals: one (1) mile minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Noise Standards:

Home-Based Mining:

- Daytime (7:00 AM to 10:00 PM): fifty (50) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty (40) dBA at property line maximum
- No audible tonal or impulsive noise characteristics detectable at property lines

Small Commercial Mining:

- Daytime (7:00 AM to 10:00 PM): fifty (50) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty (40) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- No audible tonal or impulsive noise characteristics detectable at property lines
- Baseline noise study required prior to zoning permit issuance

Medium Commercial Mining:

- Daytime (7:00 AM to 10:00 PM): fifty (50) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty (40) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- No audible tonal or impulsive noise characteristics detectable at property lines
- Baseline noise study required prior to conditional use permit hearing
- Annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year

Utility-Scale Mining:

- Daytime (7:00 AM to 10:00 PM): fifty-five (55) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty-five (45) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- No audible tonal or impulsive noise characteristics detectable at property lines
- Baseline noise study required prior to conditional use permit hearing
- Annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year

Visual Requirements:

Home-Based Mining:

- All equipment contained entirely within a principal dwelling or accessory structure
- No outdoor storage of equipment, materials, or waste

- No external evidence of mining operations visible from public roads other than standard utility connections

Small Commercial Mining:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- No outdoor storage of equipment, materials, or waste
- No visible cooling or exhaust equipment from public roads where technically feasible
- Security fencing screened with native vegetation maintained at minimum six (6) feet in height within three (3) years of planting, not to exceed ten (10) feet
- Fully shielded downward-directed lighting; no light trespass measurable at property lines

Medium Commercial Mining:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- No outdoor storage of equipment, materials, or waste
- Complete visual screening from public roads required
- Earth berming minimum four (4) feet in height above finished grade along all road-facing boundaries
- Native vegetation screening minimum thirty (30) feet wide along all road-facing boundaries; maintained at minimum height of eight (8) feet within five (5) years of planting, not to exceed fifteen (15) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at property lines

Utility-Scale Mining:

- Earth tone or muted finish required on all containerized units, enclosures, and equipment
- No commercial signage permitted
- No outdoor storage of equipment, materials, or waste
- Complete visual screening from public roads and neighboring dwellings required
- Earth berming minimum six (6) feet in height along all road-facing and residential-facing boundaries
- Native vegetation screening minimum fifty (50) feet wide along all road-facing and residential-facing boundaries
- Fully shielded downward-directed lighting only; no light trespass measurable at property lines

Fire Safety Standards:

Home-Based Mining:

- Compliance with all applicable electrical codes required
- Emergency shutoff accessible from exterior of any dedicated mining enclosure or accessory structure
- Where total electrical capacity exceeds two (2) kilowatts, a smoke detection system shall be installed in any room or structure housing mining equipment

Small Commercial Mining:

- Automatic fire detection system required for all enclosed operations
- Fire suppression system required for all enclosed operations
- Emergency shutoff accessible from exterior of all enclosures

- Emergency response plan filed with local fire department prior to energization
- Compliance with all applicable electrical codes required
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required

Medium Commercial Mining:

- Automatic fire detection and suppression systems required for all enclosed operations meeting NFPA standards applicable to the installed equipment type
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Secondary containment required for all immersion cooling systems sized to one hundred ten percent (110%) of total coolant volume
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance
- Compliance with all applicable electrical codes required

Utility-Scale Mining:

- Automatic fire detection and suppression systems required for all enclosed operations meeting applicable NFPA standards
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization
- Contribution to County Fire Mitigation Fund at the rate established in Appendix A required prior to permit issuance
- Compliance with all applicable electrical codes required

Cooling System Standards:

Home-Based Mining:

- No specific cooling system standards required beyond general property maintenance standards

Small Commercial Mining:

- All exhaust and cooling equipment shall be directed away from neighboring properties
- No open-air cooling fans visible from public roads
- Immersion cooling systems shall incorporate secondary containment and spill prevention measures

Medium Commercial Mining:

- All exhaust and cooling equipment shall be directed away from neighboring properties; facility oriented so prevailing southeast winds carry heat exhaust away from residential areas
- No open-air cooling fans visible from public roads
- Immersion cooling systems shall incorporate secondary containment sized to one hundred ten percent (110%) of total coolant volume and a documented spill prevention, countermeasure, and control (SPCC) plan filed with NDWEE prior to energization
- Cooling system water use exceeding five thousand (5,000) gallons per day shall require a water use permit from the applicable Natural Resources District

Utility-Scale Mining:

- All exhaust and cooling equipment shall be directed away from neighboring properties

- Immersion cooling systems shall incorporate secondary containment sized to one hundred ten percent (110%) of total coolant volume and a documented spill prevention, countermeasure, and control (SPCC) plan filed with NDWEE prior to energization
- Cooling system water use exceeding five thousand (5,000) gallons per day shall require any applicable permit from the Upper Republican NRD prior to operation

Electrical Infrastructure Standards:

Home-Based Mining:
- All electrical installations shall comply with applicable electrical codes
- Operations shall not degrade electrical service to neighboring properties or other customers of the serving utility

Small Commercial Mining:
- Utility capacity verification letter required from serving electric cooperative or public power district prior to permit issuance confirming proposed load can be accommodated without degrading service to existing customers
- Applicant responsible for all infrastructure upgrade costs
- Operations shall not degrade electrical service to existing customers including agricultural irrigation loads

Medium Commercial Mining:
- Utility capacity verification letter required from serving electric cooperative or public power district prior to conditional use permit hearing confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads
- Load curtailment capability required; load curtailment agreement with serving utility required for activation during grid emergencies or drought-related irrigation peak demand periods
- Applicant responsible for all infrastructure upgrade costs
- Traffic impact study required if construction requires oversize or overweight loads on county roads
- Road use agreement required with Perkins County prior to commencement of construction

Utility-Scale Mining:
- Utility capacity verification letter required from the serving electric provider confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads
- Load curtailment agreement required for activation during grid emergencies or drought-related irrigation peak demand periods
- Applicant responsible for all infrastructure upgrade costs
- Road use agreement required prior to commencement of construction

Environmental Standards:

Home-Based Mining:
- No environmental study required

Small Commercial Mining:
- Stormwater management plan required prior to permit issuance
- Spill prevention measures required for any liquid-cooled systems

Medium Commercial Mining:
- Stormwater management plan required prior to conditional use permit hearing

- Spill prevention, countermeasure, and control (SPCC) plan required and filed with NDWEE prior to energization where liquid cooling systems are used
- Environmental impact assessment required prior to conditional use permit hearing
- Annual environmental compliance report submitted to the Zoning Administrator by March 1 of each year

Utility-Scale Mining:
- Stormwater management plan required prior to conditional use permit hearing
- Spill prevention, countermeasure, and control (SPCC) plan required for liquid cooling systems and filed with NDWEE prior to energization
- Environmental impact assessment required prior to conditional use permit hearing
- Annual environmental compliance report submitted to the Zoning Administrator by March 1 of each year

Financial Assurance:

Home-Based Mining:
- No decommissioning bond required
- Removal of all equipment within six (6) months of abandonment required at owner expense

Small Commercial Mining:
- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance
- Insurance: minimum one million dollars ($1,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within six (6) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active mining operations constitutes abandonment

Medium Commercial Mining:
- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years; County shall be named obligee on all bonds
- Insurance: minimum five million dollars ($5,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within twelve (12) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active mining operations constitutes abandonment

Utility-Scale Mining:
- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance and reviewed every three (3) years
- Insurance: minimum five million dollars ($5,000,000) general liability and one million dollars ($1,000,000) environmental impairment liability
- Complete site restoration within twelve (12) months of abandonment or cessation of operations; twelve (12) consecutive months without active mining operations constitutes abandonment

Neighbor Protection:

Home-Based Mining:
- No written consent requirement

- No notification requirement

Small Commercial Mining:

- Written notice required to all property owners within five hundred (500) feet prior to permit issuance

Medium Commercial Mining:

- Written consent required from all property owners within one (1) mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within two (2) mile
- Mandatory public information meeting in the county seat at least forty-five (45) days prior to conditional use permit hearing

Utility-Scale Mining:

- Written consent required from all property owners within one-half (1/2) mile
- Property value impact study required prior to conditional use permit hearing at the expense of the applicant
- Certified mail notification to all property owners within one (1) mile
- Mandatory public information meeting in the county seat at least sixty (60) days prior to conditional use permit hearing
- Maximum one (1) active Utility-Scale Mining operation permitted countywide at any given time

705.4 MONITORING AND ENFORCEMENT

Inspections:

- Home-Based Mining: no routine inspection schedule required; complaint-driven inspections at operator expense
- Small Commercial Mining: inspection upon permit completion; complaint-driven inspections thereafter at operator expense
- Medium Commercial Mining: annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense; results documented and maintained in the permit file
- Utility-Scale Mining: annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense; results documented and maintained in the permit file

Noise Monitoring:

- Home-Based Mining: noise monitoring upon complaint at operator expense
- Small Commercial Mining: noise monitoring upon complaint at operator expense; results submitted to Zoning Administrator within thirty (30) days of monitoring event
- Medium Commercial Mining: annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year;
- Utility-Scale Mining: annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year; additional monitoring upon complaint at operator expense

Reporting:

- Medium Commercial and Utility-Scale Mining operators shall submit an annual compliance report to the Zoning Administrator by March 1 of each year confirming continued compliance with all permit conditions, setbacks, noise standards, insurance coverage, and financial assurance instruments

Violations and Penalties:

- First offense: five thousand dollars ($5,000) per day per violation
- Second offense within any twelve (12) month period: ten thousand dollars ($10,000) per day per violation
- Third offense or any offense involving knowing or willful violation of decommissioning, financial assurance, fire safety, or electrical infrastructure provisions: permit revocation
- Upon permit revocation, the operator shall commence decommissioning within thirty (30) days and complete decommissioning within the timeline established in the applicable classification Financial Assurance standards
- These cryptocurrency mining-specific penalties supersede the general enforcement penalties of Section 1402 for all violations of Section 705

SECTION 706 – DATA CENTER FACILITIES

Intent: To accommodate data center development that supports the economic diversification goals of the Perkins County Comprehensive Plan 2025-2035 while ensuring compatibility with surrounding agricultural land uses, protecting the Ogallala Aquifer and regional electrical infrastructure, maintaining rural character, and establishing clear and consistent standards for development, operation, and decommissioning. Data Center Facilities regulated under this Section are distinguished from AI Server Facilities regulated under Section 707 by their general-purpose computing, storage, and networking functions. Facilities where more than fifty percent (50%) of installed IT load capacity is dedicated to artificial intelligence or machine learning workloads shall be classified and regulated under Section 707.

706.1 CLASSIFICATIONS

Small Commercial Data Center: Facilities with less than or equal to five hundred (≤ 500) kilowatts of IT load capacity and building footprint of less than or equal to five thousand (≤ 5,000) square feet. Permitted in AG-1 district only. Requires a zoning permit and site plan approval.

Medium Commercial Data Center: Facilities with greater than five hundred (> 500) kilowatts but less than or equal to five (≤ 5) megawatts of IT load capacity. Permitted in AG-1 district only. Requires a conditional use permit following a public hearing before the Planning Commission.

Utility-Scale Data Center: Facilities with greater than five (> 5) megawatts of IT load capacity or building footprint exceeding fifty thousand (> 50,000) square feet. Permitted in AG-1 district only, only within the Preferred Development Corridor, only by conditional use permit and development agreement, and only where the entire facility footprint is located on NRCS-mapped Class III+ soils only. **No more than one (1) active Utility-Scale Data Center facility or campus is authorized in Perkins County at any given time.** A successor Utility-Scale Data Center facility or campus may be approved only after any prior Utility-Scale Data Center facility or campus has been fully decommissioned and all permit closeout obligations have been satisfied.

706.2 PROHIBITED AREAS

The following location restrictions apply to all Data Center Facilities. Small Commercial Data Center facilities are exempt from municipality and corridor restrictions but remain subject to all other prohibitions:

- AG-2 Agricultural-Residential and RR Rural Residential zoning districts: all classifications prohibited
- Within one (1) mile of the corporate limits of any incorporated city or village: Medium and Utility-Scale Data Centers prohibited; Small Commercial Data Centers permitted
- Within FEMA-designated Special Flood Hazard Areas: all classifications prohibited
- Utility-Scale Data Centers are permitted only where the entire facility footprint is located on NRCS-mapped Class III+ soils. Utility-Scale Data Centers are prohibited on Class I and Class II soils. Medium and Small Commercial Data Centers remain subject to the standards of this Section and any additional permit conditions imposed to protect agricultural land and neighboring uses.
- Within the AP Airport Protection Overlay District established under Article 6A: all facilities subject to FAA Part 77 height restrictions and notification requirements; facilities generating electromagnetic interference with navigational signals or radio communications are prohibited
- Within two (2) miles of any school, hospital, or nursing home: Utility-Scale Data Centers prohibited
- Within one (1) mile of any church or cemetery: all ground-mounted structures prohibited

706.3 PERFORMANCE STANDARDS

Height Limits:

- Small Commercial Data Center: thirty-five (35) feet maximum
- Medium Commercial Data Center: forty-five (45) feet maximum; rooftop mechanical equipment shall be screened from ground-level view from any public road
- Utility-Scale Data Center: forty-five (45) feet maximum; rooftop mechanical equipment shall be screened from ground-level view from any public road; cooling towers and similar ancillary structures subject to height conditions established in the conditional use permit

Setbacks:

Small Commercial Data Center:

- Property lines: one hundred (100) feet minimum
- Participating dwellings: fifty (50) feet minimum
- Non-participating dwellings: three hundred (300) feet minimum
- Public roads: one hundred fifty (150) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Incorporated municipalities: no minimum distance required
- Watercourses and wetlands: fifty (50) feet minimum

Medium Commercial Data Center:

- Property lines: three hundred (300) feet minimum
- Participating dwellings: one hundred (100) feet minimum
- Non-participating dwellings: seven hundred fifty (750) feet minimum
- Public roads: four hundred (400) feet minimum
- State/federal highways: one (1) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: two (2) miles minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Utility-Scale Data Center:

- Property lines: three hundred (300) feet minimum
- Participating dwellings: one hundred fifty (150) feet minimum
- Non-participating dwellings: seven hundred fifty (750) feet minimum
- Public roads: four hundred (400) feet minimum
- State/federal highways: one (1) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: two (2) miles minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Noise Standards:

Small Commercial Data Center:

- Daytime (7:00 AM to 10:00 PM): fifty (50) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty (40) dBA at property line maximum
- Emergency generators exempt during actual power outages only

Medium Commercial Data Center:

- Daytime (7:00 AM to 10:00 PM): fifty-five (55) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty-five (45) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Low-frequency noise: maximum forty-five (45) dBC at property line measured in the C-weighted scale to address documented impacts of low frequency mechanical noise on livestock behavior and productivity
- Emergency generators exempt during actual power outages only
- Baseline noise study required prior to conditional use permit hearing
- Generator testing limited to daytime hours (8:00 AM to 5:00 PM) weekdays only

Utility-Scale Data Center:

- Daytime (7:00 AM to 10:00 PM): fifty-five (55) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty-five (45) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Low-frequency noise: maximum forty (40) dBC at property line measured in the C weighted scale
- Emergency generators exempt during actual power outages only
- Baseline noise study required prior to conditional use permit hearing
- Annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year
- Generator testing limited to daytime hours (8:00 AM to 5:00 PM) weekdays only; testing not to exceed two (2) hours per week

Visual Requirements:

Small Commercial Data Center:

- Exterior materials: earth tones or muted colors; non-reflective surfaces required
- No commercial signage permitted
- No outdoor storage of equipment or materials
- Security fencing screened with native vegetation maintained at minimum six (6) feet in height within three (3) years of planting, not to exceed ten (10) feet; chain-link wire fencing visible from public roads prohibited
- Fully shielded downward-directed lighting; no light trespass measurable at property lines

Medium Commercial Data Center:

- Exterior materials: earth tones or muted colors; non-reflective surfaces required
- No commercial signage permitted
- No outdoor storage of equipment or materials
- Complete visual screening from public roads required
- Earth berming minimum four (4) feet in height above finished grade along all road-facing boundaries
- Native vegetation screening minimum fifty (50) feet wide along all road-facing boundaries; maintained at minimum height of eight (8) feet within five (5) years of planting, not to exceed fifteen (15) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited
- Fully shielded downward-directed lighting; no light trespass measurable at property lines

Utility-Scale Data Center:

- Exterior materials: earth tones or muted colors; non-reflective surfaces required on all building facades and ancillary structures
- No commercial signage permitted
- No outdoor storage of equipment or materials
- Complete visual screening from public roads and neighboring properties required
- Earth berming minimum six (6) feet in height above finished grade along all road-facing and residential-facing boundaries
- Native vegetation screening minimum seventy-five (75) feet wide along all road-facing and residential-facing boundaries; maintained at minimum height of ten (10) feet within five (5) years of planting, not to exceed twenty (20) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited; decorative tubular steel or agricultural-compatible fencing preferred
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at property lines
- Landscape plan prepared by a licensed landscape architect required as condition of conditional use permit approval

Fire Safety Standards:

Small Commercial Data Center:

- Automatic fire detection system required for all enclosed operations
- Emergency shutoff accessible from exterior of all electrical enclosures
- Emergency response information filed with local fire department prior to energization
- Compliance with all applicable electrical codes required

Medium Commercial Data Center:

- Automatic fire detection and suppression systems required for all enclosed operations
- Emergency shutoff accessible from exterior of all electrical enclosures
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Secondary containment required for all fuel storage sized to one hundred ten percent (110%) of maximum fuel storage volume
- Compliance with all applicable electrical codes and NFPA standards required

Utility-Scale Data Center:

- Automatic fire detection and suppression systems required for all enclosed operations meeting NFPA 75 (Standard for the Fire Protection of Information Technology Equipment)
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations
- Secondary containment required for all fuel storage sized to one hundred ten percent (110%) of maximum fuel storage volume
- All venting from backup systems directed away from neighboring properties; facility oriented so prevailing southeast winds carry venting events away from residential areas
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance
- Compliance with all applicable electrical codes and NFPA 75 required

Cooling and Water Use Standards:

Small Commercial Data Center:

- Stormwater management plan required prior to permit issuance
- Water use permit required from the Upper Republican Natural Resources District for facilities drawing groundwater

Medium Commercial Data Center:

- Stormwater management plan required prior to conditional use permit hearing
- Water use permit required from the Upper Republican Natural Resources District for facilities drawing groundwater
- Water efficiency plan required demonstrating closed-loop or water-recirculating cooling systems are employed wherever technically feasible
- Spill prevention, countermeasure, and control (SPCC) plan required for liquid cooling systems utilizing non-water-based coolants; filed with NDWEE prior to energization

Utility-Scale Data Center:

- Stormwater management plan required prior to conditional use permit hearing
- Water use permit required from the Upper Republican Natural Resources District prior to commencement of operation; Water Use and Conservation Plan demonstrating withdrawals will not exceed sustainable yield required prior to conditional use permit hearing
- Water efficiency plan required demonstrating closed-loop or water-recirculating cooling systems are employed wherever technically feasible
- Open-air evaporative cooling towers exceeding ten thousand (10,000) gallons per day of water consumption shall require a separate NDWEE water quality permit
- Spill prevention, countermeasure, and control (SPCC) plan required for liquid cooling systems utilizing non-water-based coolants; filed with NDWEE prior to energization
- Annual water use report submitted to Zoning Administrator and Upper Republican NRD by March 1 of each year documenting total groundwater withdrawals for the preceding calendar year

Electrical Infrastructure Standards:

Small Commercial Data Center:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads
- Applicant responsible for all infrastructure upgrade costs
- All generators must meet EPA Tier 4 Final emission standards or equivalent
- All fuel storage must comply with NDWEE regulations; secondary containment required

Medium Commercial Data Center:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads; required prior to conditional use permit hearing
- Load curtailment capability required; load curtailment agreement with serving utility required for activation during grid emergencies or drought-related irrigation peak demand periods
- Applicant responsible for all infrastructure upgrade costs including transmission and distribution upgrades
- All generators must meet EPA Tier 4 Final emission standards or equivalent
- All fuel storage must comply with NDWEE regulations; secondary containment required

Utility-Scale Data Center:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads; required prior to conditional use permit hearing
- Load curtailment capability meeting NERC standards required; load curtailment agreement with serving utility required for activation during grid emergencies or drought-related irrigation peak demand periods
- Applicant responsible for all infrastructure upgrade costs including transmission and distribution upgrades
- All generators must meet EPA Tier 4 Final emission standards or equivalent; facilities proposing on-site fuel storage exceeding ten thousand (10,000) gallons shall file a Facility Response Plan with NDWEE prior to permit issuance
- All fuel storage must comply with NDWEE regulations; secondary containment required
- Traffic impact study required prior to conditional use permit hearing
- Road use agreement required with Perkins County prior to commencement of construction establishing pre-construction road condition documentation, approved haul routes, weight limits, and applicant financial responsibility for all road damage

Environmental Standards:

Small Commercial Data Center:

- No environmental impact assessment required
- Stormwater management plan required prior to permit issuance

Medium Commercial Data Center:

- Environmental impact assessment required prior to conditional use permit hearing
- Stormwater management plan required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator by March 1 of each year

Utility-Scale Data Center:

- Full environmental impact assessment required prior to conditional use permit hearing
- Stormwater management plan required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator and NDWEE by March 1 of each year
- Groundwater monitoring plan required; quarterly groundwater sampling at facility boundary required at operator expense for first three (3) years of operation; annual sampling thereafter

Financial Assurance:

Small Commercial Data Center:

- No decommissioning bond required for facilities under one hundred (100) kilowatts of IT load capacity
- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance for facilities between one hundred (100) and five hundred (500) kilowatts
- Insurance: minimum one million dollars ($1,000,000) general liability; Perkins County named as additional insured
- Complete removal of all equipment and site restoration within six (6) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active operations constitutes abandonment

Medium Commercial Data Center:

- Decommissioning bond equal to one hundred percent (100%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years; County shall be named obligee on all bonds
- Insurance: minimum two million dollars ($2,000,000) general liability; Perkins County named as additional insured
- Complete site restoration within twelve (12) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active operations constitutes abandonment

Utility-Scale Data Center:

- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every three (3) years; County shall be named obligee on all bonds
- Insurance: minimum five million dollars ($5,000,000) general liability and two million dollars ($2,000,000) environmental impairment liability; Perkins County named as additional insured; evidence of insurance filed with Zoning Administrator annually
- Complete site restoration within eighteen (18) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active operations constitutes abandonment

Neighbor Protection:

Small Commercial Data Center:

- Written notice to all immediately adjacent property owners prior to permit issuance

Medium Commercial Data Center:

- Written notice required to all property owners within five hundred (500) feet prior to permit issuance
- Written consent required from all property owners within one-half (1/2) of a mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.
- Certified mail notification to all property owners within one (1) mile

Utility-Scale Data Center:

- Written consent required from all property owners within one (1) mile
- Property value impact study required prior to conditional use permit hearing. The study shall be commissioned and paid for by the applicant; conducted by a licensed real estate appraiser or certified general appraiser licensed in Nebraska with documented experience in rural or agricultural property markets; submitted to the Zoning Administrator no less than thirty (30) days before the Planning Commission public hearing; made available for public inspection upon filing. The County Board may commission an independent peer review by a second appraiser at applicant expense. The study shall evaluate property value impacts on all non-participating properties within the applicable separation distance using comparable sales data from similar operations in Nebraska or adjacent states.

- Certified mail notification to all property owners within two (2) miles
- Mandatory public information meeting in the county seat at least sixty (60) days prior to conditional use permit hearing; maximum one (1) active Utility-Scale Data Center permitted countywide at any given time

706.4 MONITORING AND ENFORCEMENT

Inspections:

- Small Commercial Data Center: inspection upon permit completion; complaint-driven inspections thereafter at operator expense
- Medium Commercial Data Center: annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense; results documented and maintained in the permit file
- Utility-Scale Data Center: semi-annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense for the first five (5) years of operation; annual inspections thereafter; Zoning Administrator shall have right of access to all portions of the facility upon reasonable notice during normal business hours

Noise Monitoring:

- Small Commercial Data Center: noise monitoring upon complaint at operator expense
- Medium Commercial Data Center: annual noise monitoring at operator expense; results submitted to Zoning Administrator by March 1 of each year; additional monitoring upon complaint at operator expense
- Utility-Scale Data Center: quarterly noise monitoring at operator expense for first three (3) years of operation; annual monitoring thereafter; results submitted to Zoning Administrator within thirty (30) days of each monitoring event

Reporting:

- Medium and Utility-Scale Data Center operators shall submit an annual compliance report to the Zoning Administrator by March 1 of each year confirming continued compliance with all permit conditions, setbacks, noise standards, insurance coverage, water use limits, and financial assurance instruments
- Utility-Scale Data Center operators shall submit copies of annual reports concurrently to the Zoning Administrator and the Upper Republican Natural Resources District

Violations and Penalties:

- First offense: five thousand dollars ($5,000) per day per violation
- Second offense within any twelve (12) month period: ten thousand dollars ($10,000) per day per violation
- Third offense or any offense involving knowing or willful violation of decommissioning, financial assurance, fire safety, water use, or electrical infrastructure provisions: permit revocation
- Upon permit revocation, the operator shall commence decommissioning within thirty (30) days and complete decommissioning within the timeline established in the applicable classification Financial Assurance standards
- These data center facility-specific penalties supersede the general enforcement penalties of Section 1402 for all violations of Section 706

SECTION 707 – AI SERVER FACILITIES

Intent: To accommodate artificial intelligence server facility development that supports the economic diversification goals of the Perkins County Comprehensive Plan 2025-2035 while protecting the Ogallala Aquifer, regional electrical infrastructure, prime agricultural land, rural character, and the quality of life that defines Perkins County. AI Server Facilities regulated under this Section are distinguished from general Data Center Facilities regulated under Section 706 by the specialized nature of their computing workloads, their significantly higher power density per rack, their greater cooling demands and associated water consumption, and the unique fire and electromagnetic hazards associated with high density AI accelerator hardware. These distinctions require tailored performance standards that exceed those applicable to general data centers in proportion to the greater potential impacts of AI operations on surrounding agricultural uses, groundwater resources, electrical infrastructure, and emergency services.

Perkins County recognizes that AI Server Facilities represent a rapidly evolving technology sector with significant economic development potential. These regulations are designed to establish clear, predictable standards that will attract responsible investment in compatible locations while firmly protecting the agricultural economy, natural resources, and rural character that are the foundation of community life in Perkins County. The standards of this Section shall be read in conjunction with Section 706 (Data Center Facilities) and applied consistently with the standards of that section where comparable uses or impacts are present. Facilities where more than fifty percent (50%) of installed IT load capacity is dedicated to artificial intelligence or machine learning workloads shall be classified and regulated under this Section, not under Section 706.

707.1 CLASSIFICATIONS

Class I – Small Commercial AI Server Facility (Small-Scale AI Server Facility as defined in Section 202, subsection (7): Facilities with IT load capacity of less than or equal to five hundred (≤ 500) kilowatts dedicated to AI or machine learning workloads, with a building footprint of less than or equal to five thousand (≤ 5,000) square feet. Permitted in the AG-1 district only. Requires a zoning permit and site plan approval.

Class II – Medium Commercial AI Facility: Facilities with IT load capacity of greater than five hundred (> 500) kilowatts but less than or equal to twenty (≤ 20) megawatts dedicated to AI or machine learning workloads. Permitted in the AG-1 district only and only within the Preferred Development Corridor as defined in the Perkins County Comprehensive Plan 2025-2035 (within three miles of State Highway 61 or State Highway 23). Requires a conditional use permit following a public hearing before the Planning Commission and the County Board.

Class III – Utility-Scale AI Facility: Facilities with IT load capacity exceeding twenty (> 20) megawatts dedicated to AI or machine learning workloads, or a campus of individual AI Server Facilities under common ownership or control that collectively exceeds twenty (20) megawatts of IT load capacity within a one-mile radius of one another. Permitted in the AG-1 district only, only within the Preferred Development Corridor, only by conditional use permit and development agreement, and only where the entire facility footprint is located on NRCS-mapped Class III+ soils only. Not more than one (1) active Utility-Scale AI Facility or campus is authorized in Perkins County at any given time. Requires a conditional use permit following a public hearing before the Planning Commission and the County Board.

All classifications shall be measured by total installed IT load capacity as defined in Section 202. Facilities that begin operation as a lower classification and subsequently expand their IT load capacity shall be reclassified to the applicable higher classification and shall comply with all standards of the higher classification upon reclassification.

707.2 PROHIBITED AREAS

The following location restrictions apply to all AI Server Facility classifications. Class I Small Commercial facilities are exempt from the municipality and corridor restrictions of items 1 and 2 but remain subject to all other prohibitions:

- AG-2 Agricultural-Residential and RR Rural Residential zoning districts: all classifications prohibited
- Class II and Class III facilities: limited to the Preferred Development Corridor as defined in Section 202 and Section 301; facilities proposed outside the Preferred Development Corridor are not eligible for conditional use permit approval and may not be authorized by any other approval mechanism
- Within one (1) mile of the corporate limits of any incorporated city or village: Class II and Class III facilities prohibited; Class I facilities permitted with enhanced screening requirements
- Within FEMA-designated Special Flood Hazard Areas: all classifications prohibited
- Class III Utility-Scale facilities are permitted only where the entire facility footprint is located on NRCS-mapped Class III+ soils. Class III Utility-Scale facilities are expressly prohibited on Class I and Class II soils. Class I and Class II facilities remain subject to the standards of this Section and any additional permit conditions imposed to protect agricultural land and neighboring uses.
- Within the AP Airport Protection Overlay District established under Article 6A: all facilities subject to FAA Part 77 height restrictions and FAA Form 7460-1 notification requirements under Section 6A06; facilities generating electromagnetic interference with navigational signals or radio communications are prohibited; applicants must demonstrate through FAA aeronautical study that the proposed facility will not create such interference before a conditional use permit may be issued
- Within two (2) miles of any school, hospital, or nursing home: Class III facilities prohibited
- Within one thousand (1,000) feet of any church or cemetery: all ground-mounted structures associated with any classification prohibited
- Within five hundred (500) feet of any residential well serving a primary dwelling: all classifications prohibited

707.3 PERFORMANCE STANDARDS

HEIGHT LIMITS

- *Class I Small Commercial AI Server Facility:* thirty-five (35) feet maximum
- *Class II Medium Commercial AI Facility:* forty-five (45) feet maximum; rooftop mechanical equipment including cooling towers, chillers, and air handling units shall be screened from ground-level view from any public road by parapet walls, equipment screens, or equivalent architectural treatment
- *Class III Utility-Scale AI Facility:* fifty (50) feet maximum for primary structures; cooling towers and similar ancillary mechanical structures may exceed this limit subject to conditions established in the conditional use permit and compliance with Section 6A05 within the AP Overlay District; rooftop mechanical equipment shall be fully screened from ground level view from any public road, neighboring properties, and neighboring agricultural operations

All AI Server Facility structures must comply with FAA Part 77 imaginary surface requirements of Section 6A04 and the notification requirements of Section 6A06. Any structure exceeding two hundred (200) feet above ground level anywhere in Perkins County requires FAA Form 7460-1 filing regardless of zoning district.

SETBACKS

Class I Small Commercial AI Server Facility:

- Property lines: one hundred (100) feet minimum
- Participating dwellings: fifty (50) feet minimum
- Non-participating dwellings: three hundred (300) feet minimum
- Public roads: one hundred fifty (150) feet minimum
- State/federal highways: one-half (0.5) mile minimum
- Incorporated municipalities: no minimum distance required
- Schools, churches, hospitals: one thousand (1,000) feet minimum
- Watercourses and wetlands: one hundred (100) feet minimum

Class II Medium Commercial AI Facility:

- Property lines: five hundred (500) feet minimum
- Participating dwellings: one hundred fifty (150) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum
- Public roads: five hundred (500) feet minimum
- State/federal highways: one (1) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: two (2) miles minimum
- Watercourses and wetlands: three hundred (300) feet minimum

Class III Utility-Scale AI Facility:

- Property lines: five hundred (500) feet minimum
- Participating dwellings: two hundred (200) feet minimum
- Non-participating dwellings: one thousand (1,000) feet minimum; the Planning

  Commission may recommend, and the County Board may require greater setbacks from non participating dwellings as a condition of conditional use permit approval where site specific conditions including topography, prevailing winds, and proximity to rural residences warrant additional protection
- Public roads: five hundred (500) feet minimum
- State/federal highways: one (1) mile minimum
- Schools, churches, hospitals: one (1) mile minimum
- Incorporated municipalities: two (2) miles minimum
- Watercourses and wetlands: three hundred (300) feet minimum

NOISE STANDARDS

Given that AI accelerator hardware including graphics processing units (GPUs), tensor processing units (TPUs), and associated immersion cooling and mechanical systems generate distinctive noise profiles that differ from general data center operations, noise standards for AI Server Facilities address both airborne sound pressure levels and low-frequency mechanical noise that can travel long distances and affect livestock behavior and productivity at neighboring agricultural operations.

Class I Small Commercial AI Server Facility:

- Daytime (7:00 AM to 10:00 PM): fifty (50) dBA at property line maximum
- Nighttime (10:00 PM to 7:00 AM): forty (40) dBA at property line maximum
- Emergency generators exempt during actual power outages only

Class II Medium Commercial AI Facility:

- Daytime (7:00 AM to 10:00 PM): fifty-five (55) dBA at property line maximum, measured using A-weighting
- Nighttime (10:00 PM to 7:00 AM): forty-five (45) dBA at property line maximum
- Maximum forty-five (45) dBA at any non-participating dwelling measured at any time
- Low-frequency noise: maximum forty-five (45) dBC at property line measured using C-weighting to address documented impacts of low-frequency mechanical noise on livestock behavior and productivity
- Emergency generators exempt during actual power outages only
- Baseline noise study required prior to conditional use permit hearing; post-construction noise verification study required within ninety (90) days of full operational capacity
- Generator testing limited to daytime hours (8:00 AM to 5:00 PM) weekdays only; testing not to exceed two (2) hours per week

Class III Utility-Scale AI Facility:

- Daytime (7:00 AM to 10:00 PM): fifty-five (55) dBA at property line maximum, measured using A-weighting
- Nighttime (10:00 PM to 7:00 AM): forty-five (45) dBA at property line maximum
- Maximum forty (40) dBA at any non-participating dwelling measured at any time
- Low-frequency noise: maximum forty (40) dBC at property line measured using C-weighting; where any non participating agricultural operation with confined livestock is located within one (1) mile of the facility boundary, a livestock behavioral impact study conducted by a qualified agricultural engineer shall be required prior to conditional use permit hearing to assess potential impacts of low-frequency noise on confined livestock
- Emergency generators exempt during actual power outages only
- Baseline noise study required prior to conditional use permit hearing; post-construction noise verification study required within ninety (90) days of full operational capacity; quarterly noise monitoring at operator expense for first three (3) years of operation; annual monitoring thereafter
- Generator testing limited to daytime hours (8:00 AM to 5:00 PM) weekdays only; testing not to exceed two (2) hours per week; total generator testing time for all generators at a campus shall not exceed sixteen (16) hours in any calendar month

VISUAL REQUIREMENTS

AI Server Facility structures shall be designed and maintained to be visually compatible with the agricultural character of Perkins County. The County Board recognizes that AI Server Facilities typically have large building footprints and continuous mechanical operations that create visual and auditory impacts disproportionate to their workforce and that require proactive management to preserve rural character.

Class I Small Commercial AI Server Facility:

- Exterior materials: earth tones or muted, non-reflective colors required on all building facades, equipment enclosures, and ancillary structures
- No commercial signage other than required safety, emergency response, and regulatory identification signs
- No outdoor storage of equipment, materials, or waste
- Security fencing screened with native vegetation maintained at minimum six (6) feet in height within three (3) years of planting, not to exceed ten (10) feet; chain-link fencing visible from public roads prohibited
- Fully shielded downward-directed lighting; no light trespass measurable at any property line

Class II Medium Commercial AI Facility:

- Exterior materials: earth tones or muted, non-reflective colors required on all building facades, equipment enclosures, cooling towers, and ancillary structures; no highly reflective or industrial-looking cladding materials visible from any public road or neighboring property
- Building mass articulation: facades visible from public roads shall incorporate variation in height, depth, or material to break up building mass; long uninterrupted blank facades are prohibited on road-facing elevations

- No commercial signage permitted; emergency, safety, and utility identification signage permitted per Section 703.1
- No outdoor storage of equipment, materials, or waste
- Complete visual screening from public roads required
- Earth berming minimum four (4) feet in height above finished grade along all road-facing boundaries
- Native vegetation screening minimum fifty (50) feet wide along all road-facing boundaries; maintained at minimum height of eight (8) feet within five (5) years of planting, not to exceed fifteen (15) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited; decorative tubular steel or agricultural-compatible fencing preferred
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at any property line; lighting color temperature not to exceed three thousand (3,000) Kelvin to minimize sky glow impacts

Class III Utility-Scale AI Facility:

- Exterior materials: earth tones or muted, non-reflective colors required on all building facades, equipment enclosures, cooling towers, transformers, and ancillary structures; architectural rendering submitted with conditional use permit application shall demonstrate visual compatibility with rural agricultural character
- Building mass articulation: all facades shall incorporate meaningful variation in height, massing, and material; facades visible from public roads or neighboring properties shall include faux or functional fenestration at regular intervals to provide human-scale visual character; flat uninterrupted facades exceeding two hundred (200) feet in length are prohibited
- No commercial signage permitted; emergency, safety, and utility identification signage permitted per Section 703.1
- No outdoor storage of equipment, materials, or waste
- Complete visual screening from public roads, neighboring properties, and neighboring agricultural operations required
- Earth berming minimum six (6) feet in height above finished grade along all road-facing and residential-facing boundaries
- Native vegetation screening minimum seventy-five (75) feet wide along all road-facing and residential facing boundaries, and not less than fifty (50) feet wide along all agricultural operation-facing boundaries; maintained at minimum height of ten (10) feet within five (5) years of planting, not to exceed twenty (20) feet
- Security fencing screened with native vegetation on all sides visible from public roads; chain-link fencing visible from public roads prohibited; decorative tubular steel or agricultural-compatible fencing preferred
- Fully shielded downward-directed lighting; motion-activated security lighting only during nighttime hours; no light trespass measurable at any property line; lighting color temperature not to exceed three thousand (3,000) Kelvin to minimize sky glow impacts on neighboring agricultural operations; no illuminated rooftop equipment visible from any public road
- Landscape plan prepared by a licensed landscape architect required as a condition of conditional use permit approval; the landscape plan shall specifically address visual compatibility with surrounding agricultural land, seasonal screening effectiveness, and long-term maintenance obligations

FIRE SAFETY STANDARDS

AI Server Facilities present fire safety challenges that differ from general data centers due to the use of immersion cooling systems utilizing dielectric fluids, high-density GPU server configurations with elevated thermal loads, and the concentration of high-value computing equipment with continuous operational requirements. Local fire departments in rural Perkins County may have limited familiarity with AI facility fire scenarios, making pre-incident planning and County Fire Mitigation Fund contributions essential conditions of approval.

Class I Small Commercial AI Server Facility:

- Automatic fire detection system required for all enclosed operations
- Emergency shutoff accessible from the exterior of all electrical and server enclosures
- Emergency response information filed with local fire department and Perkins County Emergency Manager prior to energization; updated within thirty (30) days of any material change to facility operations
- Compliance with all applicable electrical codes and NFPA standards required
- Where immersion cooling systems are used: secondary containment sized to one hundred ten percent (110%) of total dielectric fluid volume required; Material Safety Data Sheets for all cooling fluids filed with local fire department prior to energization

Class II Medium Commercial AI Facility:

- Automatic fire detection and suppression systems required for all enclosed operations meeting NFPA 75 (Standard for the Fire Protection of Information Technology Equipment) and NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems) where battery storage is incorporated
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; updated within thirty (30) days of any material change to facility operations or cooling system configuration
- Secondary containment required for all immersion cooling and fuel storage systems sized to one hundred ten percent (110%) of total fluid volume; containment integrity inspected annually by a licensed professional engineer
- Material Safety Data Sheets and chemical inventory for all cooling fluids, lubricants, and hazardous materials filed with local fire department and Perkins County Emergency Manager prior to energization; updated annually
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance
- Compliance with all applicable electrical codes, NFPA 75, and all other applicable NFPA standards required

Class III Utility-Scale AI Facility:

- Automatic fire detection and suppression systems required for all enclosed operations meeting NFPA 75 and, where battery storage is incorporated, NFPA 855
- Twenty-four hour (24/7) remote monitoring with automatic shutdown capability required; monitoring center shall be staffed by trained personnel capable of coordinating with local fire departments at all times
- Emergency response plan filed with Perkins County Emergency Manager and local fire department prior to energization; plan shall include site-specific information on cooling fluid types and quantities, high voltage electrical systems, emergency access routes, and coordination procedures with county emergency services; updated within thirty (30) days of any material change to facility operations or layout

- On-site pre-incident planning meeting with local fire department required prior to Certificate of Compliance issuance; annual tabletop exercise with local fire department and Perkins County Emergency Manager required throughout operational life of facility
- Secondary containment required for all immersion cooling systems sized to one hundred ten percent (110%) of total dielectric fluid volume; containment integrity inspected semi-annually by a licensed professional engineer for the first three (3) years of operation and annually thereafter
- All venting from server rooms, cooling systems, and backup systems directed away from neighboring properties; facility sited and oriented so that prevailing southeast winds carry any accidental dielectric fluid vapor releases away from residential areas and confined livestock operations
- Material Safety Data Sheets and chemical inventory for all cooling fluids, lubricants, and hazardous materials filed with local fire department and Perkins County Emergency Manager prior to energization and updated within thirty (30) days of any change in chemical inventory
- Contribution to County Fire Mitigation Fund at rate established in Appendix A required prior to permit issuance; rate for Utility-Scale AI facilities established separately from general data centers in Appendix A to reflect elevated training and
- equipment requirements
- Compliance with all applicable electrical codes, NFPA 75, and all other applicable NFPA standards required

COOLING AND WATER USE STANDARDS

AI Server Facilities consume water at rates substantially above general data center facilities due to higher power densities and thermal loads generated by AI accelerator hardware. Protection of the Ogallala Aquifer is a foundational policy objective of these regulations and the Perkins County Comprehensive Plan 2025--2035. The Upper Republican Natural Resources District administers groundwater withdrawal permits for all high-volume water users within Perkins County. No AI Server Facility shall withdraw groundwater from any source in Perkins County without a valid water use permit from the Upper Republican NRD.

Class I Small Commercial AI Server Facility:

- Stormwater management plan required prior to permit issuance
- Water use permit required from the Upper Republican Natural Resources District for facilities drawing groundwater for any purpose including cooling
- Spill prevention measures required for any liquid-cooled systems; all non-water-based cooling fluids shall be identified to the Zoning Administrator and local fire department prior to energization

Class II Medium Commercial AI Facility:

- Stormwater management plan required prior to conditional use permit hearing
- Water use permit required from the Upper Republican Natural Resources District prior to commencement of operation; permit application shall be submitted concurrently with the conditional use permit application and supporting hydrogeologic information shall be provided to the County for review
- Water efficiency plan required demonstrating that closed-loop or water-recirculating cooling systems are employed wherever technically feasible; the plan shall document annual projected water consumption in gallons per megawatt-hour of IT load and compare this figure to industry benchmarks for comparable AI computing installations

- Water Use Intensity (WUI) target not to exceed one and one-half (1.5) liters per kilowatt-hour of IT energy consumed, measured as an annual average; applicant shall demonstrate by engineering analysis that this target can be met with the proposed cooling configuration or shall justify any proposed higher water use intensity by reference to site-specific constraints
- Spill prevention, countermeasure, and control (SPCC) plan required for all liquid cooling systems utilizing non-water-based coolants; filed with NDWEE prior to energization
- Annual water use report submitted to Zoning Administrator and Upper Republican NRD by March 1 of each year documenting total groundwater withdrawals, water use intensity, and cooling system efficiency metrics for the preceding calendar year

Class III Utility-Scale AI Facility:

- Stormwater management plan required prior to conditional use permit hearing
- Water use permit required from the Upper Republican Natural Resources District prior to commencement of operation; a comprehensive Water Use and Conservation Plan demonstrating that proposed withdrawals will not exceed sustainable yield shall be submitted prior to conditional use permit hearing
- Independent hydrogeological study of Ogallala Aquifer conditions at and within one (1) mile of the proposed facility site required prior to conditional use permit hearing; the study shall document current aquifer saturated thickness, recharge rate, existing withdrawal volumes from neighboring wells, and projected aquifer depletion rates under various facility water consumption scenarios; the study shall be conducted by a licensed hydrogeologist acceptable to both the County and the Upper Republican NRD
- Water efficiency plan required with mandatory Water Use Intensity (WUI) target not to exceed one and one-quarter (1.25) liters per kilowatt-hour of IT energy consumed, measured as an annual average; open air evaporative cooling that consumes more than five thousand (5,000) gallons per day of groundwater is discouraged and requires specific justification and enhanced groundwater monitoring as a condition of conditional use permit approval
- Spill prevention, countermeasure, and control (SPCC) plan required and filed with NDWEE prior to energization where liquid cooling systems utilizing non-water-based coolants are used
- Annual water use report submitted to Zoning Administrator and Upper Republican NRD by March 1 of each year documenting total groundwater withdrawals, water use intensity by month, cooling system efficiency metrics, and comparison to permit limits and WUI targets for the preceding calendar year; reports shall be made available for public inspection
- Groundwater monitoring wells required at facility boundary; minimum four (4) monitoring wells at cardinal compass points around the facility; quarterly groundwater level and quality sampling required at operator expense throughout the full operational life of the facility; sampling results submitted to Zoning Administrator, Upper Republican NRD, and NDWEE concurrently within thirty (30) days of each sampling event

ELECTRICAL INFRASTRUCTURE STANDARDS

AI Server Facilities require electrical power at densities and scales that can stress rural distribution systems and potentially degrade service to agricultural irrigation customers, which is the primary use of electricity in Perkins County during peak irrigation seasons. Load curtailment capability is a non-negotiable condition for all Class II and Class III facilities to protect the ability of Perkins County agricultural operations to irrigate crops during critical growing season periods.

Class I Small Commercial AI Server Facility:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads
- Applicant responsible for all infrastructure upgrade costs
- All generators must meet EPA Tier 4 Final emission standards or equivalent; secondary containment required for fuel storage
- All electrical installations shall comply with all applicable electrical codes

Class II Medium Commercial AI Facility:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads; required prior to conditional use permit hearing
- Load curtailment capability required; load curtailment agreement with serving electric cooperative or public power district required; the curtailment agreement shall specify:
  - Triggers for curtailment including grid emergencies, drought-related irrigation peak demand periods, and system instability events
  - Curtailment response time not to exceed thirty (30) minutes from utility notification
  - Maximum curtailment duration and frequency per event
  - Annual curtailment testing procedures
  - Executed curtailment agreement required as condition of Certificate of Compliance issuance
  - Applicant responsible for all infrastructure upgrade costs including transmission and distribution line upgrades and substation modifications required to serve the facility
- All generators must meet EPA Tier 4 Final emission standards or equivalent; facilities proposing on-site fuel storage exceeding five thousand (5,000) gallons shall file a Facility Response Plan with NDWEE prior to permit issuance; secondary containment required for all fuel storage
- Traffic impact study required prior to conditional use permit hearing if construction requires oversize or overweight loads on county roads; road use agreement required with Perkins County prior to commencement of construction

Class III Utility-Scale AI Facility:

- Utility capacity verification letter required from serving electric cooperative or public power district confirming proposed load can be accommodated without degrading service to existing customers including agricultural irrigation loads; required prior to conditional use permit hearing; the letter shall specifically address the facility's load profile relative to seasonal irrigation peak demand
- Load curtailment capability meeting NERC standards required; load curtailment agreement with serving utility required for activation during grid emergencies or drought-related irrigation peak demand periods; curtailment response time not to exceed fifteen (15) minutes from utility notification; annual curtailment testing required with results filed with Zoning Administrator and serving utility; executed curtailment agreement required as condition of Certificate of Compliance issuance
- Power Use Effectiveness (PUE) target not to exceed one and three-tenths (1.3), measured as an annual average; applicant shall demonstrate by engineering analysis that this target can be met with the proposed facility configuration; annual PUE performance shall be reported to the Zoning Administrator in the annual compliance report
- Applicant responsible for all infrastructure upgrade costs including transmission and distribution line upgrades, substation modifications, and any transmission system improvements required to serve the facility; cost responsibility shall be memorialized in the development agreement required by Section 707.1

- All generators must meet EPA Tier 4 Final emission standards or equivalent; facilities proposing on-site fuel storage exceeding ten thousand (10,000) gallons shall file a Facility Response Plan with NDWEE prior to permit issuance; secondary containment required for all fuel storage
- Traffic impact study required prior to conditional use permit hearing; road use agreement required with Perkins County prior to commencement of construction establishing pre-construction road condition documentation, approved haul routes, weight limits, and applicant financial responsibility for all road damage attributable to construction or operation; the road use agreement shall include a performance bond sufficient to cover estimated road restoration costs

ENVIRONMENTAL STANDARDS

Class I Small Commercial AI Server Facility:

- No environmental impact assessment required
- Stormwater management plan required prior to permit issuance

Class II Medium Commercial AI Facility:

- Environmental impact assessment required prior to conditional use permit hearing; the assessment shall address impacts on the Ogallala Aquifer, groundwater quality, soil resources, air quality from backup generators, noise impacts on neighboring agricultural operations including confined livestock, and visual impacts on the rural landscape
- Stormwater management plan required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator by March 1 of each year confirming continued compliance with all environmental permit conditions, water use limits, and WUI targets

Class III Utility-Scale AI Facility:

- Full environmental impact assessment required prior to conditional use permit hearing; the assessment shall address all impacts identified for Class II facilities, and additionally shall quantify projected greenhouse gas emissions from facility operations and backup generator use, cumulative impacts on the Ogallala Aquifer in combination with existing agricultural withdrawals, and potential electromagnetic interference with agricultural GPS and precision farming systems in use by neighboring operations
- Stormwater management plan required prior to conditional use permit hearing
- Annual environmental compliance report submitted to Zoning Administrator and NDWEE by March 1 of each year; reports shall be made available for public inspection
- Groundwater monitoring plan required as described in the Cooling and Water Use Standards above; groundwater monitoring results shall be submitted concurrently to the Zoning Administrator, Upper Republican NRD, and NDWEE

FINANCIAL ASSURANCE

Class I Small Commercial AI Server Facility:

- No decommissioning bond required for facilities under one hundred (100) kilowatts of IT load capacity
- Decommissioning bond equal to one hundred percent (100%) of estimated removal cost required prior to permit issuance for facilities between one hundred (100) and five hundred (500) kilowatts
- Insurance: minimum one million dollars ($1,000,000) general liability; Perkins County named as additional insured

- Complete removal of all equipment and site restoration to pre-construction agricultural condition within six (6) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active AI operations constitutes abandonment

Class II Medium Commercial AI Facility:

- Decommissioning bond equal to one hundred twenty-five percent (125%) of estimated removal and site restoration cost required prior to permit issuance; reviewed and updated every five (5) years; County shall be named obligee on all bonds
- Insurance: minimum five million dollars ($5,000,000) general liability and two million dollars ($2,000,000) environmental impairment liability; Perkins County named as additional insured; evidence of insurance filed with Zoning Administrator annually
- Complete site restoration to pre-construction agricultural condition including removal of all above-ground structures, below-ground foundations and infrastructure to a minimum of four (4) feet below grade, electrical conduit, and all associated equipment within twelve (12) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active AI operations constitutes abandonment

Class III Utility-Scale AI Facility:

- Decommissioning bond equal to one hundred fifty percent (150%) of estimated removal and site restoration cost required prior to permit issuance; decommissioning cost estimate shall be prepared by a qualified independent engineer acceptable to the County Board; bond shall be reviewed and updated every three (3) years; County shall be named obligee on all bonds
- Insurance: minimum twenty-five million dollars ($25,000,000) general liability and five million dollars ($5,000,000) environmental impairment liability; Perkins County named as additional insured; evidence of insurance filed with Zoning Administrator annually
- Aquifer restoration bond equal to three (3) years of estimated water costs at current local agricultural rates required where the hydrogeological study required under Cooling and Water Use Standards identifies a measurable risk of aquifer depletion impact on neighboring agricultural wells; this bond is in addition to the decommissioning bond and shall be held in escrow for the benefit of affected neighboring agricultural operations
- Complete site restoration to pre-construction agricultural condition within eighteen (18) months of abandonment or cessation of operations
- Twelve (12) consecutive months without active AI operations constitutes abandonment; the County Board may extend the abandonment determination period to twenty-four (24) months upon written request from the operator demonstrating that a documented hardware transition, facility upgrade, or force majeure event is the cause of the cessation

NEIGHBOR PROTECTION

Class I Small Commercial AI Server Facility:

- Written notice to all immediately adjacent property owners prior to permit issuance
- No written consent requirement

Class II Medium Commercial AI Facility:

- Written consent required from all property owners within one-half (1/2) of a mile of the facility boundary
- Property value impact study prepared by a licensed Nebraska appraiser required prior to conditional use permit hearing

- Certified mail notification to all property owners within one (1) mile of the facility boundary
- Mandatory public information meeting in the county seat at least forty-five (45) days prior to conditional use permit hearing; notice of the public information meeting shall be mailed to all property owners within one and one-half (1.5) miles and published in the local legal newspaper

Class III Utility-Scale AI Facility:

- Written consent required from all property owners within one (1) mile of the facility boundary; for owners of agricultural operations with confined livestock located within one (1) mile of the facility boundary, written acknowledgment that the livestock behavioral impact study required under Noise Standards has been provided to them and reviewed by their livestock management advisor shall be required in addition to written consent Property value impact study prepared by a licensed Nebraska appraiser required prior to conditional use permit hearing; the study shall specifically address impacts on neighboring agricultural land values and dryland and irrigated cropland per-acre values within a three (3) mile radius
- Certified mail notification to all property owners within two (2) miles of the facility boundary at least sixty (60) days prior to Planning Commission public hearing
- Mandatory public information meeting in the county seat at least sixty (60) days prior to Planning Commission public hearing; notice shall be mailed to all property owners within two (2) miles and published in the local legal newspaper; the public information meeting shall include a presentation by the applicant's hydrogeologist on Ogallala Aquifer impacts and a separate presentation by an independent agricultural engineer on potential livestock noise impacts
- Maximum one (1) active Utility-Scale AI Facility or campus is permitted within Perkins County at any given time per Section 707.1; this limitation may be amended only through the zoning text amendment process of Article 13 following full public hearings before both the Planning Commission and County Board

707.4 MONITORING AND ENFORCEMENT

Inspections:

- *Class I Small Commercial AI Server Facility:* inspection upon permit completion; complaint-driven inspections thereafter at operator expense; results documented and maintained in the permit file
- *Class II Medium Commercial AI Facility:* annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense; results documented and maintained in the permit file; the Zoning Administrator shall have right of access to all portions of the facility upon reasonable notice during normal business hours
- *Class III Utility-Scale AI Facility:* semi-annual compliance inspection conducted by the Zoning Administrator or qualified designee at operator expense for the first five (5) years of operation; annual inspections thereafter; the Zoning Administrator shall have unrestricted right of access to all portions of the facility, including all server rooms, cooling systems, and backup power infrastructure, upon reasonable notice during normal business hours; the operator shall designate a local compliance contact available at all times to facilitate inspection access

Noise Monitoring:

- *Class I:* noise monitoring upon complaint at operator expense
- *Class II:* semi-annual noise monitoring at operator expense for the first three (3) years of operation; annual monitoring thereafter; results submitted to Zoning Administrator within thirty (30) days of each monitoring event; additional monitoring upon complaint at operator expense

- *Class III:* quarterly noise monitoring at operator expense for the first three (3) years of operation; semi-annual monitoring thereafter; both A-weighted and C-weighted measurements required at all property line monitoring locations; results submitted to Zoning Administrator and, where neighboring confined livestock operations are within one (1) mile, to the livestock operation owner within thirty (30) days of each monitoring event; any exceedance of noise standards shall be reported to the Zoning Administrator within forty-eight (48) hours of discovery and corrective measures implemented within thirty (30) days

Water Use Monitoring:

- *Class I:* water use reporting upon request by Zoning Administrator or Upper Republican NRD
- *Class II:* quarterly water use reporting to Zoning Administrator and Upper Republican NRD; annual water use report per Cooling and Water Use Standards above
- *Class III:* monthly water use reporting to Zoning Administrator and Upper Republican NRD during first two (2) years of operation; quarterly thereafter; annual water use report per Cooling and Water Use Standards above; any single-month groundwater withdrawal that exceeds the NRD-permitted amount by more than ten percent (10%) shall be reported to the Zoning Administrator and NRD within forty-eight (48) hours

Reporting:

- *Class II* and *Class III* operators shall submit an annual compliance report to the Zoning Administrator by March 1 of each year confirming continued compliance with all permit conditions, setbacks, noise standards, water use limits and WUI targets, insurance coverage, and financial assurance instruments
- *Class III* operators shall submit copies of annual compliance reports concurrently to the Zoning Administrator, the Upper Republican Natural Resources District, and NDWEE; reports shall be made available for public inspection at the office of the Zoning Administrator

Violations and Penalties:

- *First offense:* five thousand dollars ($5,000) per day per violation
- *Second offense within any twelve (12) month period:* ten thousand dollars ($10,000) per day per violation
- *Third offense or any offense involving knowing or willful violation of decommissioning obligations, water use permit conditions, Ogallala Aquifer protection requirements, fire safety standards, load curtailment agreement obligations, or financial assurance provisions:* permit revocation
- Upon permit revocation, the operator shall commence decommissioning within thirty (30) days and complete decommissioning within the timeline established in the applicable classification Financial Assurance standards above
- Any groundwater withdrawal in excess of NRD-permitted amounts that results in a documented reduction in yield from a neighboring agricultural well shall subject the operator to an additional penalty of up to twenty-five thousand dollars ($25,000) per occurrence, payable to the owner of the affected well, in addition to any penalty assessed under the general schedule above
- These AI server facility-specific penalties supersede the general enforcement penalties of Section 1402 for all violations of Section 707

707.5 TECHNOLOGY REVIEW PROVISIONS

Given the rapid pace of change in artificial intelligence hardware, cooling technology, power delivery, and water use efficiency, the Perkins County Board of Commissioners recognizes that the classification thresholds, performance standards, and water use intensity targets established in this Section may require adjustment as technology evolves. The Zoning Administrator shall present an update to the Planning Commission and County Board as part of the Technology Facility Standards Review required by Section 1505.3, specifically addressing:

- Whether the Class I/II/III IT load capacity thresholds remain appropriate given changes in AI hardware power density;
- Whether Water Use Intensity targets of 1.5 L/kWh (Class II) and 1.25 L/kWh (Class III) remain achievable best practices given advances in cooling technology;
- Whether Power Use Effectiveness targets remain appropriately calibrated;
- Whether noise standards adequately address new AI hardware cooling configurations including liquid cooled rear-door heat exchangers, immersion cooling systems, and two-phase cooling systems; and
- Whether new state or federal regulations governing AI infrastructure, data center water use, or energy consumption require corresponding updates to these regulations.

Amendments to this Section prompted by technology changes shall be processed as text amendments under Article 13 and shall include an assessment of how any proposed changes affect the protections afforded to neighboring agricultural operations, Ogallala Aquifer users, and rural property owners under current standards.

707.6 DEVELOPMENT AGREEMENTS FOR CLASS III FACILITIES

In addition to all conditional use permit requirements, applicant for Class III Utility-Scale AI Server Facilities are required to enter into a development agreement with the Perkins County Board of Commissioners prior to conditional use permit issuance. The development agreement shall be negotiated by the County Board and shall address, at a minimum:

- Road use fees sufficient to cover the full cost of road restoration attributable to construction and operational traffic generated by the facility
- Applicant's financial responsibility for all electrical infrastructure upgrades required to serve the facility, including transmission, distribution, and substation improvements
- Fire Mitigation Fund contribution amount and payment schedule as established in Appendix A
- Local hiring commitments including commitments to hire Perkins County and southwest Nebraska residents for construction and permanent positions to the extent qualified candidates are available
- Community betterment fund contribution, if any, negotiated by the County Board to offset community impacts not otherwise addressed by permit conditions
- Water use commitments and consequences for aquifer impact, consistent with the NRD water use permit conditions
- Decommissioning obligations and financial assurance update schedule
- Annual reporting obligations and inspection access rights

Development agreements shall be recorded with the Perkins County Register of Deeds and shall run with the land. A copy of the executed development agreement shall be filed with the Zoning Administrator and maintained as part of the conditional use permit record. The County Board may retain outside legal or technical counsel to assist in negotiating development agreements; reasonable costs of such counsel shall be borne by the applicant as a condition of the development agreement.

SECTION 708 – TELECOMMUNICATIONS TOWERS AND WIRELESS COMMUNICATIONS FACILITIES

Intent: Based upon the Communications Act of 1934, as amended by the Telecommunications Act of 1996, the Federal Communications Commission has exclusive jurisdiction over certain aspects of telecommunication services. This Section is intended to regulate towers, telecommunications facilities, and antennas in Perkins County in conformance with federal law without prohibiting or tending to prohibit any person from providing wireless telecommunication service, to protect residential areas and land uses from potential adverse impacts through careful design, siting, and camouflaging, to promote and encourage shared use and collocation of towers and antenna support structures rather than the construction of additional single-use towers, and to ensure that towers and antennas are compatible with surrounding land uses.

708.1 DEFINITIONS

ANTENNA: A device designed and intended for transmitting or receiving television, radio, or microwave signals, direct satellite service, and/or video programming services via multi-point distribution services.

ANTENNA SUPPORT STRUCTURE: Any building or structure other than a tower which can be used for location of telecommunications facilities.

FALL ZONE: That area below and around a tower where the structure might collapse if damaged or structurally fails.

FALL ZONE EASEMENT: A signed, notarized, and recorded document from an adjacent property owner that allows the tower owner to use the adjacent property as part of the designed fall zone for a tower, which shall run with the land.

SATELLITE DISH ANTENNA: An antenna consisting of a radiation element intended for transmitting or receiving television, radio, microwave, or radiation signals, supported by a structure with or without a reflective component to the radiating dish, usually circular in shape.

STEALTH: Any telecommunications facility, tower, or antenna which is designed to enhance compatibility with adjacent land uses, including architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and towers designed to look other than a tower, such as light poles, power poles, and trees.

TELECOMMUNICATIONS FACILITIES: Any cables, wires, lines, wave guides, antennas, or any other equipment or facilities associated with the transmission or reception of communications which a person seeks to locate or has installed upon or near a tower or antenna support structure.

TOWER: A self-supporting lattice, guyed, or monopole structure that supports telecommunications facilities. The term Tower shall not include non-commercial amateur radio operator's equipment as licensed by the FCC.

TOWER DEVELOPMENT PERMIT: A permit issued by Perkins County upon approval by the County Board of an application to develop a tower within the zoning jurisdiction of Perkins County, which shall continue in full force and effect for so long as the tower conforms to this Section.

708.2 GENERAL REQUIREMENTS

- Towers shall be permitted as conditional uses of land only in the AG-1 Agricultural District as identified in Section 404.
- No proposed tower shall be located within five (5) miles of any existing tower without approval of the Perkins County Board of Commissioners.
- No person shall develop, construct, modify, or operate a tower upon any tract of land within the zoning jurisdiction of Perkins County prior to approval of a Tower Development Permit by the County Board an issuance of the permit. Applications shall be submitted to the Zoning Administrator with the applicable fee per Appendix A.
- All towers shall comply with all applicable federal and state construction standards and applicable American National Standards Institute (ANSI) standards. Upon completion of construction, an engineer's certification that the tower is structurally sound and in conformance with all applicable standards shall be filed with the Zoning Administrator.

708.3 APPLICATION REQUIREMENTS

Prior to commencement of development or construction of a tower, an application shall be submitted to the Zoning Administrator and shall include:

- Name, address, and telephone number of the owner and, if applicable, the lessee of the tract of land upon which the tower is to be located.
- Legal description and address of the tract of land.
- Names, addresses, and telephone numbers of all owners of other towers or usable antenna support structures within a one (1) mile radius of the proposed tower, including publicly and privately owned towers and structures.
- An affidavit attesting that the applicant has made diligent but unsuccessful efforts to collocate the telecommunications facilities on a tower or useable antenna support structure or written technical evidence from an engineer that collocation is not technically feasible.
- Written technical evidence from an engineer that the proposed tower will meet all applicable construction standards.
- Color photo simulations showing the proposed tower location as it would appear from the nearest residentially used or zoned property and nearest roadway.
- Descriptions and diagrams of the proposed tower, appurtenances such as buildings, driveways, parking areas, and security enclosures.

708.4 PERMIT PROCEDURE

After receipt of an application for a Tower Development Permit, the Zoning Administrator shall schedule a public hearing before the Planning Commission following all statutory requirements for publication and notice, to consider such application. The Planning Commission shall make a recommendation to the County Board. Upon completion of the Planning Commission hearing the Zoning Administrator shall schedule a public hearing before the County Board following all statutory requirements. A Tower Development Permit shall be deemed a conditional use permit for the subject tract of land.

708.5 SETBACKS AND SEPARATION REQUIREMENTS

- All towers up to fifty (50) feet in height shall be setback on all sides a distance equal to the underlying setback requirement in the applicable zoning district.
- Towers in excess of fifty (50) feet in height shall be set back from abutting parcels, recorded public road rights-of-way, and public road and street lines by the lesser of the following:
  - A distance equal to one hundred percent (100%) of the tower height; or
  - A distance equal to the manufacturer's designed fall distance of the proposed tower, accompanied by an engineer's signed and sealed statement defining the manufacturer's designed fall distance.
- If the setback in (B) above cannot be obtained, the applicant may provide fall zone easements from adjoining property owners; however, fall zone easements shall not be allowed for federal, state, or county rights-of-way.
- All towers shall be required to meet the 40:1 height ratio (accounting for topographic changes) 600 feet wide centered upon each private runway, extending from each end 5,280 feet, and a 7:1 height ratio from all other directions around a private runway.
- Minimum tower separation requirements:
  - Monopole tower structures shall be separated from all other towers by a minimum of seven hundred fifty (750) feet.
  - Self-supporting lattice or guyed towers shall be separated from all other self-supporting lattice or guyed towers by a minimum of one thousand five hundred (1,500) feet.
- All towers shall comply with the FAA notification requirements of Section 6A06 where applicable.

708.6 ILLUMINATION AND SECURITY

- Towers shall not be artificially lit except as required by the Federal Aviation Administration (FAA). In no case shall a tower be allowed to operate a strobe lighting system after sunset and before dawn unless specifically required by FAA.
- All self-supporting lattice or guyed towers shall be enclosed within a security fence or other structure designed to preclude unauthorized access. Monopole towers shall be designed and constructed in a manner which will preclude unauthorized climbing.

708.7 EXTERIOR FINISH

Towers not requiring FAA painting or marking shall have an exterior finish which enhances compatibility with adjacent land uses, subject to review and approval by the Planning Commission and County Board. All towers that must be approved as a conditional use shall be stealth design unless stealth features are impractical or the cost of such features represents an undue burden on the applicant.

708.8 MAINTENANCE AND ABANDONMENT

All towers shall at all times be kept and maintained in good condition, order, and repair so that they do not constitute a nuisance or a danger to life or property. If any tower shall cease to be used for a period of one (1) year, the Zoning Administrator shall notify the tower owner that the site will be subject to a determination of abandonment. The tower owner shall have thirty (30) days to show evidence that the tower has been in use or under repair during the period of apparent abandonment. Upon a final determination of abandonment, the tower owner shall have seventy-five (75) days to dismantle and remove the tower. In the event the tower is not dismantled and removed, the Zoning Administrator shall declare the tower a public nuisance and request the County Attorney to proceed to abate the nuisance, with costs charged against the real estate on which the tower is located.

708.9 SATELLITE DISH ANTENNAS

Upon adoption of these regulations, installation of satellite dish antennas shall be permitted within the zoning jurisdiction of Perkins County only upon compliance with the following:

- In residentially zoned districts, satellite dish antennas may not exceed a diameter of ten (10) feet.
- Single-family residences may not have more than two (2) satellite dish antennas over three (3) feet in diameter.
- Multiple-family residences with ten (10) or fewer dwelling units may have no more than one (1) satellite dish antenna over three (3) feet in diameter. Multiple-family residences with more than ten (10) dwelling units may have no more than two (2) satellite dish antennas over three (3) feet in diameter.
- In residential zoning districts, satellite dish antennas shall not be installed in the required front yard setback or side yard setback area.
- All satellite dish antennas shall be of a neutral color such as black, gray, brown, or such color as will blend with the surrounding dominant color in order to camouflage the antenna.

708.10 MONITORING AND ENFORCEMENT

The County reserves the right to conduct inspections of towers, antenna support structures, and telecommunications facilities upon reasonable notice to the tower owner to determine compliance with this Section. Penalties for violations of this Section shall be as established in Section 1402.

SECTION 709 – ADULT ENTERTAINMENT ESTABLISHMENTS

INTENT: To regulate Adult Entertainment Establishments in a manner that acknowledges their lawful existence while protecting neighboring properties, residential uses, schools, churches, and the general community from secondary effects associated with these uses. These regulations establish geographic restrictions, minimum separation distances, and operating conditions that minimize negative secondary effects without prohibiting Adult Entertainment Establishments from operating in Perkins County. All Adult Entertainment Establishments require a Conditional Use Permit and must meet the special requirements of this Section in addition to all other applicable standards of these regulations.

709.1 DEFINITIONS

ADULT ARCADE: Any place to which the public is permitted or invited in which coin-operated, slug operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT CABARET: A nightclub, bar, restaurant, or similar establishment that regularly features live performances characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides, or other photographic reproductions in which more than ten percent (10%) of the total presentation time is devoted to material characterized by any emphasis upon specified sexual activities or specified anatomical areas.

ADULT ESTABLISHMENT: Any business offering its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing, or relating to specified sexual activities or specified anatomical areas, including, but without limitation, adult bookstores, adult motion picture theaters, adult saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, and adult body painting studios.

ESCORT: A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY: A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

NUDE MODEL STUDIO: Any place where a person who appears semi-nude or in a state of nudity or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude model studio shall not include a college, community college, or university supported entirely or in part by public money; a private college or university which maintains and operates educational programs in which credits are transferable to a publicly supported institution; or a structure or private studio that has no sign visible from the exterior indicating a nude or semi-nude person is available for viewing, where students must enroll at least three days in advance, and where no more than one nude or semi-nude model is on the premises at any one time.

NUDITY OR A STATE OF NUDITY: The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of covered male genitals in a discernibly turgid state.

SEXUAL ENCOUNTER CENTER: A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration any of the following:

- Physical contact in the form of wrestling or tumbling between persons of the opposite sex
- Activities between persons when one or more of the persons is in a state of nudity or semi-nudity

SPECIFIED ANATOMICAL AREAS: Anatomical areas consisting of less than completely and opaquely covered human genitals, buttock, or female breast(s) below a point immediately above the top of the areola.

SPECIFIED SEXUAL ACTIVITIES: Activities consisting of actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, use of excretory functions in the context of a sexual relationship, or any sexually oriented conduct involving bodily functions or contact described by generally applicable obscenity law; or clearly depicted human genitals in the state of sexual stimulation, arousal, or tumescence; or fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s).

709.2 GEOGRAPHY

Adult Entertainment Establishments are allowed in a limited manner within Perkins County and are strictly allowed solely within the AG-2 Agricultural-Residential District in locations that will minimize the secondary effects upon the community at large.

709.3 CONDITIONAL USE PERMIT REQUIRED

No Adult Entertainment Establishment shall be established, operated, or maintained without first obtaining a Conditional Use Permit pursuant to Article 10 of these regulations. The following special requirements shall be the minimum standards necessary for the County to issue a Conditional Use Permit.

709.4 SPECIAL REQUIREMENTS

- Said establishments shall be along improved county roads and shall not be more than one thousand three hundred twenty (1,320) feet from a road designated as a Major Arterial or Arterial.
- Said businesses shall be screened along adjoining property lines so as to prevent any direct visual contact of the adult business at the perimeter.
- No adult business shall be closer than one thousand (1,000) feet to any similar use and no closer than three thousand (3,000) feet to a residential district or use, religious use, educational use, or recreational use. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult business to the closest point on the property line of such other adult business, residential district or use, religious use, educational use, or recreational use.

- No adult business shall be open for business between the hours of twelve midnight (12:00 a.m.) and six a.m. (6:00 a.m.).
- The proposed location, design, construction, and operation of the particular use shall provide adequate safeguards to protect the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
- Such use shall not impair an adequate supply of light and air to surrounding property.
- Such use shall not unduly increase congestion in the streets or public dangers, including fire and safety hazards.
- Such use shall be in accord with the intent, purpose, and spirit of these regulations and the Perkins County Comprehensive Plan 2025-2035.
- Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property. The application shall also include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, driveways, and points of ingress and egress, the location and height of walls, the location and type of landscaping, and the location, size, and number of signs.
- An adult business shall post a sign at the entrance of the premises stating the nature of the business and that no one under the age of eighteen (18) years is allowed on the premises.

709.5 PROHIBITED ACTIVITIES OF ADULT BUSINESSES

- No adult business shall employ any person under eighteen (18) years of age.
- No adult business shall furnish any merchandise or services to any person who is under eighteen (18) years of age.
- No adult business shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use.
- No part of the interior of the adult business shall be visible from any pedestrian sidewalk, walkway, street, or other public or semi-public area.

SECTION 710 – SANITARY LANDFILL REGULATIONS

INTENT: To protect the public health, safety, and environmental quality of Perkins County by ensuring that the disposal of solid waste, garbage, and refuse occurs only at properly permitted and operated sanitary landfill facilities. Uncontrolled waste disposal creates health hazards, promotes vermin breeding, contaminates groundwater and surface water, generates noxious odors, and degrades the agricultural and scenic character of the county. These regulations establish the minimum standards necessary to prevent those harms, to ensure that any landfill operating in Perkins County is licensed by the Nebraska Department of Water, Energy, and Environment (NDWEE), and to protect neighboring agricultural operations, residences, and natural resources throughout the operational life of the facility and after closure.

710.1 DEFINITIONS

Terms used in this Section carry the meanings established in Section 202 of these regulations. Additional defined terms specific to sanitary landfill operations are set out below. Where a term is defined in both Section 202 and this Section, the definition in this Section controls for purposes of Section 710 only.

APPLICANT: An individual, firm, corporation, or any political subdivision of the State including any governmental authority created by statute.

AQUIFER: A geological formation, group of formations, or part of a formation capable of yielding water for a well, spring, or other discharge in usable amounts.

BEST MANAGEMENT PRACTICES (BMP): Schedules of activities, prohibitions, maintenance procedures, and other management practices found to be the most effective and practicable methods for specific sites to prevent or reduce the discharge of pollutants to waters of the State or to control odor where appropriate.

BUFFER ZONE: An area of land, including landscaping, berms, walls, fences, and building setbacks, located between land uses of different character and intended to mitigate negative impacts of the more intensive use.

CLOSURE: Actions taken upon the cessation of use of a Solid Waste Management Facility which prepare the facility for post-closure care and assure protection of human health and the environment.

COVER MATERIAL: Six (6) inches of earthen material at the end of each operating day, or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging. Other materials may qualify if approved by NDWEE and Perkins County.

DEPARTMENT: The Nebraska Department of Water, Energy, and Environment (NDWEE), or its successor agency.

GARBAGE: Rejected food wastes including waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetables; and dead animals rejected by rendering plants.

HAZARDOUS WASTE: Any waste designated or defined as a hazardous waste by applicable Nebraska Administrative Code, which is a solid waste that, because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HOST AGREEMENT: Any agreement that pertains to the operation of the landfill within the County by the operator. A Host Agreement may include but is not limited to road maintenance, tipping fees, cleanup of blowing waste, closure, and other negotiated terms.

LANDFILL: A disposal site employing a method of disposing of solid wastes in a manner that minimizes environmental hazards in accordance with state and federal requirements.

LEACHATE: Liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

OPEN DUMP: A site for the disposal of solid waste which does not comply with the requirements of these regulations.

RUBBISH: Non-putrescible solid waste, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, wood, glass, bedding, crockery, or litter of any kind that will be a detriment to the public health and safety.

SANITARY LANDFILL: A type of operation in which garbage, rubbish, and refuse is deposited by plan on a specified portion of land, is compacted by force applied by mechanical equipment, and then is covered by compacted suitable covering material over individual cells of garbage and refuse, which are closed at the end of each day, and to a depth of at least three (3) feet over the finished landfill.

710.2 CONDITIONAL USE PERMIT REQUIRED

- It shall be unlawful for any person to use any land, premises, or property within Perkins County for the disposal of any garbage, rubbish, and refuse without first making application for and securing a Conditional Use Permit (CUP) to operate a new or expanded Sanitary Landfill pursuant to Article 10 of these regulations.
- The application for a CUP to operate a sanitary landfill shall be filed with the Perkins County Zoning Office and shall contain:
  - A description and plat of the land on which the disposal of garbage and refuse is proposed;
  - A description of the sequence and plan of operation;
  - Type and capacity of equipment to be used for operations;
  - Plans for fire, nuisance, and vermin control;
  - A diagram and written statement showing existing and proposed roadways and easements;
  - A diagram and written statement showing existing topography and water courses;
  - A diagram and written statement explaining the proposed location and extent of earthwork and fill operations, as well as fencing of the premises;
  - Proposed measures to control storm drainage and estimated daily or weekly volume of garbage and refuse to be placed in the sanitary landfill;
  - Subsoil data including percolation tests, ground water, and soil types; and
  - Planned locations for monitoring wells to monitor leachate and other hazardous materials.
- No CUP to operate a sanitary landfill will be issued unless the applicant has first complied with all requirements of NDWEE for operation of a sanitary landfill.
- No CUP to operate a new or expanded sanitary landfill will be issued unless the applicant has successfully negotiated a Host Agreement with the County Board of Commissioners.
- Any CUP to operate a sanitary landfill will become null and void whenever NDWEE revokes or does not renew the applicable state license.

710.3 DISPOSAL CONDITIONS

- No person shall dump or otherwise dispose of any refuse, garbage, junk, or rubbish at any place except a licensed and permitted sanitary landfill area; provided, however, that this does not prohibit a person from disposing of refuse and rubbish from their own household upon their own land so long as such disposal does not create a nuisance or hazard to health; and provided further, that the placement of broken concrete for rip-rap and fill material for embankment reconstruction and erosion retardation only, with a County-approved CUP, shall be exempt from this Section.
- No CUP to operate a sanitary landfill shall be granted until the following conditions have been met:
  - The permittee and its agents, employees, and independent contractors will comply with all terms, conditions, provisions, requirements, and specifications contained in these regulations.
  - The permittee and its agents, employees, and independent contractors will faithfully operate the sanitary landfill in accordance with the provisions of these regulations.
  - The permittee and its agents, employees, and independent contractors will save harmless Perkins County from any expenses incurred through the failure to operate and maintain the sanitary landfill as required by these regulations.
  - The permittee and its agents, employees, and independent contractors provide assurance that, in the event the permittee fails to operate the sanitary landfill within the terms, requirements, and conditions of these regulations, the Perkins County Board of Commissioners may, upon resolution and after providing permittee reasonable opportunity to cure any non-compliance, hire the necessary equipment and labor to adequately bring the landfill operation to a satisfactory closing at the permittee's expense.

710.4 PHYSICAL IMPROVEMENTS

- The following physical improvements shall be made before a new or expanded sanitary landfill site is approved for operation:
  - The property shall be fenced as shown on the application for a CUP with an entrance gate that can be locked. A temporary inner fence shall be installed bordering all active areas of landfill to reasonably control blowing paper and other materials.
  - Operating procedures and time schedules shall be clearly listed on signs posted at the site entrance.
  - Where employees or personnel will be on duty for more than four (4) consecutive hours, convenient sheltered toilet facilities shall be provided.

710.5 REGULATIONS

The following regulations shall be observed by any person, firm, or corporation to whom a permit is granted for the operation of a sanitary landfill. Any failure to observe these regulations shall be sufficient grounds for suspension or revocation of the permit.

- All garbage and other refuse accepted by the permit holder shall be thoroughly compacted by equipment of a size and weight capable of carrying out all necessary operations. Sufficient auxiliary equipment shall be available on the site or otherwise available to permit operation in case of equipment breakdown.
- No alternate daily cover may be used on the landfill unless NDWEE has approved the material for use and determined its equivalence in performance to application of a minimum six (6) inches of daily cover.

- The area of the landfill shall be policed as necessary to prevent fire and smoke and to collect all scattered materials, and shall be neat and orderly at all times and shall be covered at the end of each day's operation, as well as when wind conditions warrant it through the day, with sufficient material to prevent blowing litter, fly and rodent attraction and breeding, release of odor, fire hazard, and unsightly appearance.
- A minimum depth of compacted cover and final spread cover material as required by NDWEE shall be kept on all inactive faces of the landfill at all times. The active faces of the landfill shall be covered at the end of each day's operation with cover material.
- For any area where wastes will not be disposed for a period of one hundred eighty (180) days or longer, that area shall be covered with the required daily cover material and an additional twelve (12) inches of intermediate cover. Vegetative cover shall be established as soon as possible on these areas.
- Where the trench system of sanitary landfill is used, successive parallel trenches must be at least two (2) feet apart.
- Access roads to the disposal area within the Solid Waste Disposal Area shall be maintained and surfaced so as to be negotiable by trucks and other motor vehicles at all reasonable times.
- The salvage or scavenging of materials from the landfill is prohibited.
- The burning of garbage and refuse on the landfill site, without prior approval from the appropriate Fire District and NDWEE, is prohibited.
- No landfill operations shall be conducted so that fill will be placed in streambeds or other areas where streams would be obstructed or where erosion by the stream would remove cover material. There shall be no seepage or drainage of any material from the fill of such a nature as would constitute an odor nuisance or health hazard, or pollute any water course or underground water aquifer.
- The permittee shall provide surface drainage facilities on the landfill site which will permit the drainage of storm water.
- No hazardous waste, contaminated or radioactive material, infectious waste, or polluted liquids shall be deposited within the facility.
- All reasonable measures shall be taken to control insects and rodents.
- The discharging of firearms is prohibited within the landfill area.
- Before any site is abandoned, all exposed refuse shall be covered with a layer of suitable cover material to a minimum compacted depth of at least three (3) feet. The site otherwise shall be left in a reasonably neat condition so as not to offend adjacent property owners.

710.6 ENFORCEMENT – PERMIT SUSPENSION AND REVOCATION

The officers responsible for the enforcement of the provisions of this Section shall be the Zoning Administrator and County Sheriff, or other designees as set by the Board of Commissioners. The officers will notify in writing any permit holder who is violating the provisions of this Section of the specific manner in which the regulations are being violated and the time frame within which the violation must be remedied. Unless the violation is corrected within the reasonable time set forth in the notice, the officers shall notify the County Board of Commissioners in writing of the non-compliance.

The County Board of Commissioners may, after the permit holder is given an opportunity for a hearing, revoke the permit for violation of any of the provisions of this Section.

710.7 PERMIT REINSTATEMENT

Whenever any sanitary landfill permit provided for in this Section has been revoked, a request for reinstatement shall be treated the same as the initial CUP application and shall be subject to all current standards and requirements.

ARTICLE 8 - ADMINISTRATION

SECTION 801 – ZONING ADMINISTRATOR

801.1 Appointment and Designation

The Zoning Administrator shall be appointed by the Perkins County Board of Commissioners and shall be qualified by training or experience in land use planning, zoning administration, or a related field to administer and enforce these regulations. The Zoning Administrator may be an individual, a firm, or a governmental or quasi-governmental entity contracted to provide zoning administration services to the County. The appointment shall be formalized by resolution of the County Board and may be terminated or reassigned by resolution following thirty (30) days written notice to the current Zoning Administrator. The identity of the current Zoning Administrator shall be maintained on file in the office of the County Clerk and shall be available for public inspection during normal business hours.

The Zoning Administrator shall also serve as Floodplain Administrator pursuant to Article 6B and as the County's designated agent for zoning administration under Nebraska Revised Statutes §23-114 unless the County Board designates a separate Floodplain Administrator by resolution.

The Zoning Administrator may designate qualified staff members or licensed professional agents to perform inspections, review applications, and carry out administrative functions on their behalf. Such delegation shall be in writing and maintained on file in the office of the County Clerk. Delegation does not relieve the Zoning Administrator of ultimate responsibility for the accuracy and consistency of all administrative decisions.

801.2 Duties

The Zoning Administrator shall perform the following duties in the administration and enforcement of these regulations:

- Receive, review, and act upon applications for zoning permits, certificates of compliance, and home occupation determinations in accordance with the standards and timelines of this Article
- Receive and process applications for conditional use permits and zoning amendments, preparing staff reports and presenting findings and recommendations to the Planning Commission and County Board
- Conduct site inspections for permitted uses, developments under construction, and conditional use permit compliance as required by these regulations and as necessary to investigate complaints
- Issue stop work orders for construction or land use changes occurring without required permits or in violation of permit conditions; stop work orders shall be in writing and delivered to the property owner or on-site representative
- Enforce the provisions of these regulations including the issuance of violation notices, referral of unresolved violations to the County Attorney, and documentation of all enforcement actions
- Maintain official zoning records including all permit applications, issued permits, certificates of compliance, conditional use permits, variance decisions, zoning amendment records, and enforcement files; records shall be maintained in accordance with Nebraska public records law and shall be available for public inspection during normal business hours
- Maintain the Official Zoning Map and process Board-approved map amendments within thirty (30) days of adoption

- Maintain a current accounting of cumulative renewable energy acreage by township as required by Section 704.3 and publish this information annually in a report to the County Board
- Review and accept all financial assurance instruments required under Sections 701 through 707, confirm their sufficiency, and maintain copies on file; notify the County Board within thirty (30) days of any lapse, cancellation, or material reduction in required coverage
- Coordinate with the Nebraska Department of Water, Energy, and Environment (NDWEE), the Upper Republican Natural Resources District, the Nebraska Game and Parks Commission, the Federal Aviation Administration, and other agencies as required by these regulations; transmit permit applications to these agencies within the timeframes established in Sections 701 through 707
- Serve as the County's designated Floodplain Administrator and administer the Floodplain overlay regulations of Article 6B
- Prepare and submit an annual zoning administration report to the County Board by January 31 of each year summarizing permits issued, conditional use permits approved and denied, enforcement actions taken, and the status of all active financial assurance instruments
- Provide educational information and guidance to property owners, applicants, and the public regarding the requirements of these regulations; pre-application conferences shall be available upon request and are strongly encouraged for CAFO, technology facility, and utility-scale energy applications

801.3 Conflict of Interest

The Zoning Administrator shall not participate in the review, approval, or denial of any permit application in which the Zoning Administrator or any immediate family member has a direct financial interest. In such cases the Zoning Administrator shall disclose the conflict in writing to the County Board, which shall designate an alternative reviewing authority for that application.

801.4 Stop Work Authority

The Zoning Administrator is authorized to issue a written stop work order upon finding that any construction, land use change, or development activity is occurring without a required permit, in violation of a permit condition, or in violation of these regulations. A stop work order shall be posted on the property and delivered to the property owner or on-site representative. All work shall cease immediately upon receipt of a stop work order except work necessary to make the site safe and secure. Stop work orders may be appealed to the Board of Adjustment under Article 904.09.

SECTION 802 – ZONING PERMITS

802.1 Permit Required

A zoning permit shall be obtained from the Zoning Administrator prior to commencing any of the following activities, unless the activity is specifically identified elsewhere in these regulations as not requiring a permit:

- New construction of any building or structure
- Structural alteration, addition, or enlargement of any existing building or structure
- Change in the use of any land, building, or structure from one use category to another
- Establishment of any temporary use lasting more than seventy-two (72) hours
- Placement of any manufactured home, mobile home, or modular unit on a property

- Installation of any renewable energy system, battery energy storage system, wind energy system, data center, cryptocurrency mining operation, or AI server facility subject to Sections 704 through 707
- Commencement of any mining, grading, excavation, or land disturbance activity associated with a permitted or conditional use
- Establishment of any home occupation involving non-resident employees, client visits, or accessory structure use

The following activities do not require a zoning permit:

- Agricultural buildings on farmsteads of twenty (20) acres or more producing at least one thousand dollars ($1,000) annually in agricultural products, as exempt under Nebraska Revised Statutes §23-114.03, provided that any use of such buildings for commercial, industrial, or non-agricultural purposes remains subject to zoning regulation
- Ordinary repair and maintenance of existing structures that does not alter exterior dimensions, structural elements, or use
- Residential and Small Residential solar energy systems meeting all standards of Section 704.5 and installed as accessory to the principal residential or agricultural use
- Home-Based Mining operations meeting all standards of Section 705.1
- Home occupations meeting all standards of Section 702.4
- Temporary signs, agricultural identification signs, and other signs exempt under Section 703.1

802.2 Pre-Application Conference

Prior to submitting a formal application for any conditional use permit, CAFO permit, or technology facility permit under Sections 704 through 707, applicants are strongly encouraged to schedule a pre-application conference with the Zoning Administrator. The pre-application conference is an informal meeting to discuss the proposed use, applicable standards, required application materials, agency coordination requirements, and the anticipated review timeline. A pre-application conference does not constitute approval or denial of any application and does not vest any rights in the applicant.

802.3 Application Requirements

All zoning permit applications shall include:

- A completed application form available from the Zoning Administrator's office containing the applicant's name and contact information, legal description of the property, description of the proposed use or construction, and certification by the property owner
- A site plan drawn to scale showing the boundaries of the property, location and dimensions of all existing and proposed structures, required setbacks from property lines and other protected features, location of all wells, septic systems, and utilities on the property, and access points to public roads
- Payment of the applicable permit fee as established in Appendix A
- Any additional materials required by the applicable district or use standards in Articles 4 through 7

Applications for conditional use permits shall additionally include all materials required under Article 10 and the specific application requirements established in the applicable section of Articles 4 through 7.

802.4 Application Completeness Review

Upon receipt of a zoning permit application the Zoning Administrator shall review it for completeness within ten (10) business days. If the application is incomplete the Zoning Administrator shall provide written notice to the applicant identifying all missing or deficient materials. The thirty (30) day review period of Section 802.5 does not begin until a complete application has been received. An application that remains incomplete for ninety (90) days after notice of deficiency shall be considered withdrawn and the applicant shall be required to submit a new application with a new fee.

802.5 Review and Decision

The Zoning Administrator shall review complete zoning permit applications and issue a decision within the following timeframes:

- Simple zoning permits for residential construction, accessory structures, and agricultural buildings not exempt from permitting: thirty (30) days from receipt of a complete application
- Zoning permits for Small Residential and Small Agricultural solar systems, Home-Based Mining, Small Commercial Mining, Small Commercial Data Center, and Small Commercial AI Server Facility (Class I) applications: thirty (30) days from receipt of a complete application
- Applications requiring agency coordination with NDWEE, the Upper Republican NRD, or other state or federal agencies: forty-five (45) days from receipt of a complete application or ten (10) days after receipt of all required agency comments, whichever is later
- Conditional use permit applications: governed by the timeline established in Article 10

The Zoning Administrator shall issue a written decision approving, approving with conditions, or denying each application. Approvals shall specify all applicable standards and conditions. Denials shall state the specific reasons for denial and the regulations on which the denial is based. All decisions shall be mailed to the applicant and maintained in the permit file.

802.6 Permit Conditions

The Zoning Administrator may attach reasonable conditions to a zoning permit to ensure compliance with these regulations, protect neighboring properties, and implement the standards applicable to the permitted use. Conditions shall be clearly stated in the written permit decision. Violation of any permit condition constitutes a violation of these regulations subject to enforcement under Section 1402.

802.7 Permit Validity and Expiration

A zoning permit shall be valid for twenty-four (24) months from the date of issuance. Construction or land use change shall commence within twelve (12) months of permit issuance. A permit for which construction has not commenced within twelve (12) months shall expire unless the applicant has obtained a written extension from the Zoning Administrator prior to expiration. One extension of twelve (12) months may be granted upon written request demonstrating good cause. If construction commences but is discontinued for a period of twelve (12) consecutive months, the permit shall expire. A new application and fee shall be required for any permit that has expired.

802.8 Permit Extensions

The applicant may request one (1) extension of a zoning permit prior to expiration. Extension requests shall be submitted in writing to the Zoning Administrator at least thirty (30) days prior to the permit expiration date and shall describe the reason for the requested extension and the anticipated completion date. The Zoning Administrator may grant an extension of up to twelve (12) months upon finding that the delay is due to circumstances beyond the applicant's reasonable control and that the applicable regulations have not materially changed since permit issuance. Extensions of conditional use permits shall be processed under Article 10.

802.9 Emergency Permits

In cases of emergency involving an immediate threat to public health or safety, including damage from fire, flood, severe weather, or casualty, the Zoning Administrator may issue an emergency zoning permit authorizing immediate repair or reconstruction without the standard application and review process. Emergency permits shall be confirmed by a standard zoning permit application submitted within thirty (30) days of the emergency permit issuance. Emergency permits do not authorize reconstruction that would increase the degree of nonconformity of any nonconforming structure.

802.10 Subdivision Plats

All plats for the subdivision of land in the unincorporated areas of Perkins County shall be submitted to the Zoning Administrator for review prior to recording. Subdivision plats shall be reviewed and approved by the Planning Commission in accordance with Nebraska Revised Statutes §23-114.04(1) before recording with the County Clerk. All proposed lots in a subdivision shall meet the minimum lot size, width, depth, and frontage standards of the applicable zoning district. The Zoning Administrator shall not certify a plat for recording until Planning Commission approval has been obtained and all applicable conditions of approval have been satisfied. Subdivision of land resulting in lots that would not meet minimum zoning standards constitutes a violation of these regulations.

802.11 Fees

All zoning permit application fees shall be as established in Appendix A. The County Board shall review and update the fee schedule as necessary to recover the reasonable costs of zoning administration. The Zoning Administrator may recommend fee waivers or reductions to the County Board for governmental, non-profit, or hardship applications; fee waivers require County Board approval.

SECTION 803 – CERTIFICATES OF COMPLIANCE

803.1 Certificate Required

A Certificate of Compliance shall be required prior to occupancy of any newly constructed building and prior to the initiation of any new land use for which a zoning permit was required under Section 802.1. No person shall occupy a newly constructed building or initiate a new permitted land use until a Certificate of Compliance has been issued by the Zoning Administrator, except as provided in Section 803.4 for temporary certificates.

803.2 Application and Inspection

Upon completion of construction or establishment of a new land use, the permit holder shall notify the Zoning Administrator in writing and request a final inspection. The Zoning Administrator shall conduct a final inspection within fifteen (15) business days of the request. For technology facility, CAFO, and utility-scale energy system applications, the permit holder shall submit as-built drawings prepared by a licensed professional engineer or surveyor confirming that all required setbacks, heights, and facility specifications conform to the approved permit prior to requesting a final inspection.

803.3 Issuance

The Zoning Administrator shall issue a Certificate of Compliance within ten (10) business days of a satisfactory final inspection confirming:

- The completed construction or established use conforms to all standards of the applicable zoning district
- The completed construction or established use conforms to all conditions of the approved zoning permit
- All required financial assurance instruments are current and on file
- All required agency permits and approvals referenced in the zoning permit conditions have been obtained and copies filed with the Zoning Administrator
- For CAFO operations: all required NDWEE operational permits are active and copies have been filed
- For technology facilities under Sections 704 through 707: the emergency response plan has been filed with the Perkins County Emergency Manager and local fire department, the utility capacity verification letter is on file, and all financial assurance instruments meet the requirements of the applicable section

803.4 Temporary Certificate of Compliance

Where a project involves phased construction or occupancy and the applicant demonstrates that the occupied phase fully complies with all applicable standards and that the remaining construction poses no threat to health or safety, the Zoning Administrator may issue a Temporary Certificate of Compliance for the completed phase. A Temporary Certificate of Compliance shall specify the scope of authorized occupancy, the conditions under which it is issued, and an expiration date not to exceed one hundred eighty (180) days. A final Certificate of Compliance shall be obtained upon completion of all phases.

803.5 Non-Conforming Construction

If a final inspection reveals that construction does not conform to the approved zoning permit or the standards of these regulations, the Zoning Administrator shall provide written notice to the permit holder identifying all deficiencies. The permit holder shall correct all deficiencies within sixty (60) days of written notice or such longer period as the Zoning Administrator determines is reasonable given the nature of the deficiency. No Certificate of Compliance shall be issued until all deficiencies are corrected. Uncorrected deficiencies after the notice period constitute a violation subject to enforcement under Section 1402. The Zoning Administrator may issue a stop use order preventing occupancy of a structure or initiation of a land use pending correction of identified deficiencies.

803.6 Records

The Zoning Administrator shall maintain a record of all issued Certificates of Compliance as part of the official zoning records. Certificates of Compliance shall be available for public inspection during normal business hours and shall be referenced in the permit file for the associated zoning permit.

ARTICLE 9 – PLANNING COMMISSION AND BOARD OF ADJUSTMENT

SECTION 901 – ESTABLISHMENT OF PLANNING COMMISSION

901.1 Composition

The Planning Commission shall consist of nine (9) members, with three (3) representatives appointed from each County Commissioner District. A majority of Planning Commission members – at least five (5) of the nine (9) – shall be residents of the unincorporated areas of Perkins County, as required by Nebraska Revised Statutes §23-114.01. No member shall hold any elected county or municipal office, except that a member may also serve on a city, village, or other planning commission. Members are appointed by the Perkins County Board of Commissioners.

901.2 Terms and Appointments

Members shall serve staggered three (3) year terms. At the initial appointment of members under these regulations, terms shall be staggered as follows to ensure continuity:

- Three (3) members appointed for one (1) year initial terms
- Three (3) members appointed for two (2) year initial terms
- Three (3) members appointed for three (3) year initial terms

After the initial staggered terms, all subsequent appointments shall be for three (3) year terms. Members may be reappointed without limit. Vacancies shall be filled by the County Board for the unexpired term. Members may be removed by the County Board for cause, including neglect of duty, malfeasance in office, or absence from three (3) or more consecutive regular meetings without excuse.

901.3 Officers

The Planning Commission shall annually elect a Chair, Vice Chair, and Secretary from among its members at the first regular meeting of each calendar year. The Chair shall preside at all meetings and hearings. In the absence of the Chair, the Vice Chair shall preside. The Secretary shall maintain minutes of all meetings and hearings and shall coordinate with the Zoning Administrator on record-keeping and public notice requirements. The Zoning Administrator shall provide administrative support to the Planning Commission and may serve as Recording Secretary in addition to the elected Secretary.

901.4 Conflicts of Interest

No Planning Commission member shall participate in the hearing, deliberation, or vote on any application or matter in which the member or any immediate family member has a direct financial interest or in which the member has had substantive ex parte communication with an applicant or objector. A member who has a conflict of interest shall publicly disclose the conflict at the beginning of the hearing and shall recuse themselves from participation in the matter. The recused member shall leave the hearing room during deliberation and voting on the conflicted matter. All members shall comply with the Nebraska Political Accountability and Disclosure Act, Nebraska Revised Statutes Chapter 49, regarding conflicts of interest.

901.5 Ex Parte Communications

No Planning Commission member shall engage in substantive communication with any applicant, objector, or interested party regarding a pending application outside of a duly noticed public hearing. If a member receives an unsolicited ex parte communication, the member shall disclose the communication at the beginning of the hearing on the matter. Failure to disclose a material ex parte communication may constitute grounds for removal under Section 901.2.

901.6 Quorum and Voting

A quorum shall consist of five (5) members. No hearing shall be conducted and no official action shall be taken without a quorum present. A simple majority of members present, provided a quorum exists, shall be required to make a recommendation on conditional use permits, zoning amendments, subdivision plats, and all other matters within the Planning Commission's jurisdiction. Tie votes shall constitute a recommendation of denial. All votes shall be recorded by member name in the minutes.

901.7 Compensation

Members of the Planning Commission shall receive such compensation as may be fixed by resolution of the County Board of Commissioners. Members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their official duties in accordance with County travel and expense policies.

901.8 Training

The Zoning Administrator shall provide orientation materials to all newly appointed Planning Commission members within sixty (60) days of appointment, covering the requirements of these regulations, Nebraska planning and zoning statutes, the Perkins County Comprehensive Plan 2025–2035, and the standards applicable to CAFO, renewable energy, and technology facility applications regulated under Sections 701 through 707. In addition, the county attorney, each member of the Planning Commission, and each member of the County Board shall complete at least two (2) hours of education per term on topics specific to their role in county zoning matters, consistent with Nebraska Revised Statutes §23-114.01 as amended.

SECTION 902 – DUTIES OF THE PLANNING COMMISSION

The Planning Commission is responsible for the following functions in carrying out the planning and zoning program of Perkins County:

- Receive, conduct public hearings on, and make recommendations to the County Board on all applications for conditional use permits in accordance with Article 10 and the applicable standards of Articles 4 through 7
- Conduct public hearings on and make recommendations to the County Board on all proposed zoning text amendments and zoning map amendments in accordance with Article 13
- Participate in the periodic review and update of the Perkins County Comprehensive Plan, and make recommendations to the County Board on plan amendments; all conditional use permit and zoning amendment recommendations shall include an explicit finding of consistency or inconsistency with the adopted Comprehensive Plan as required by Nebraska Revised Statutes §23-114.03

- Review and make recommendations on all subdivision plats submitted pursuant to Section 802.10 prior to their recording with the County Clerk
- Advise and make formal written recommendations to the County Board on matters related to land use, development, and community planning throughout Perkins County
- Participate in the annual review of cumulative renewable energy acreage by township as reported by the Zoning Administrator under Section 704.3, and make recommendations to the County Board if any township is approaching the five percent (5%) coverage limit
- Conduct secondary public hearings on Class III and Class IV CAFO applications as required by Section 701.3 before forwarding recommendations to the County Board
- Review and comment on environmental impact assessments, infrastructure impact studies, and property value impact analyses submitted with technology facility applications under Sections 704 through 707, and incorporate findings into conditional use permit recommendations
- Review and make recommendations on any proposed amendments to the fee schedule in Appendix A related to planning and zoning administration

SECTION 903 – MEETINGS

903.1 Regular Meetings

The Planning Commission shall hold regular meetings at least quarterly but the Commission shall meet as frequently as necessary to process pending applications within the timelines established in these regulations and in Article 10. Given the public notice and hearing timelines established for technology facility and CAFO applications in Sections 701 through 707, the Planning Commission should anticipate the need for monthly meetings during periods of active application volume.

903.2 Special Meetings

Special meetings may be called by the Chair or upon written request of five (5) members with at least seventy-two (72) hours notice to all members. Special meetings may be held to conduct public hearings on time-sensitive applications or to address urgent planning matters.

903.3 Open Meetings

All Planning Commission meetings and public hearings shall be open to the public in accordance with Nebraska's Open Meetings Act, Nebraska Revised Statutes §84-1407 et seq. Executive sessions are not permitted for Planning Commission deliberations on permit applications or zoning matters.

903.4 Public Hearings

The Planning Commission shall hold a duly noticed public hearing prior to making any recommendation on a conditional use permit application or zoning amendment. Public hearing notice shall comply with the requirements of Nebraska Revised Statutes §23-114.04(1) and the specific notice requirements established in the applicable section of Articles 4 through 7. The Planning Commission shall provide a reasonable opportunity for all interested parties to present testimony, evidence, and arguments at each public hearing. The Commission may continue a public hearing to a date certain upon motion and majority vote; continued hearings do not require new published notice if the continuance date is announced at the original hearing and each subsequent continuation.

903.5 Action Timelines

The Planning Commission shall make a written recommendation to the County Board within sixty (60) days of the close of the public hearing record on a conditional use permit application or zoning amendment, unless the applicant consents in writing to an extension. If the Planning Commission fails to make a recommendation within sixty (60) days, the County Board may proceed to act on the application without a Planning Commission recommendation. All recommendations shall be in writing, shall state the specific grounds for the recommendation, and shall include an explicit finding regarding consistency with the Perkins County Comprehensive Plan 2025-2035.

903.6 Records

The Zoning Administrator shall maintain complete minutes of all Planning Commission meetings and public hearings as part of the official zoning records. Minutes shall be approved by the Planning Commission at the following regular meeting and shall be available for public inspection during normal business hours. The record of each public hearing shall include all testimony received, all exhibits submitted, all agency comments received, and the written recommendation of the Planning Commission.

SECTION 904 – BOARD OF ADJUSTMENT

904.01 Establishment

A Board of Adjustment is hereby established for Perkins County in accordance with Nebraska Revised Statutes §§23-168.01 through 23-168.03. The Board of Adjustment shall consist of five (5) members appointed by the Perkins County Board of Commissioners.

904.02 Qualifications and Composition

Board of Adjustment members shall meet the following qualifications:

- All members shall be residents of Perkins County
- A majority of members – at least three (3) – shall be residents of the unincorporated areas of Perkins County, as required by Nebraska Revised Statutes §23-114.01
- No member shall hold any elected county or municipal office; a member may, however, also serve on a city, village, or other type of planning commission
- No member shall have a financial interest in any matter regularly coming before the Board, and members shall comply with the Nebraska Political Accountability and Disclosure Act, Nebraska Revised Statutes Chapter 49, regarding conflicts of interest

904.03 Appointment and Terms

Members shall be appointed by the County Board for staggered three (3) year terms. At initial appointment, terms shall be staggered as follows to ensure continuity:

- Two (2) members appointed for one (1) year initial terms
- Two (2) members appointed for two (2) year initial terms
- One (1) member appointed for a three (3) year initial term

After the initial staggered terms, all subsequent appointments shall be for three (3) year terms. Members may be reappointed. Vacancies shall be filled by the County Board for the unexpired term. Members may be removed by the County Board for cause, including neglect of duty, malfeasance in office, or absence from three (3) or more consecutive regular meetings without excuse.

904.04 Officers

The Board of Adjustment shall annually elect a Chair and Vice Chair from among its members. The Chair shall preside at all hearings and meetings. In the absence of the Chair, the Vice Chair shall preside. The Zoning Administrator shall serve as Secretary to the Board of Adjustment and shall maintain all records of proceedings, applications, and decisions.

904.05 Conflicts of Interest and Recusal

No Board of Adjustment member shall participate in the hearing, deliberation, or vote on any appeal or variance application in which the member or any immediate family member has a direct financial interest or in which the member has had substantive ex parte communication with an applicant or objector. A member who has a conflict of interest in a specific matter shall publicly disclose the conflict at the beginning of the hearing on that matter and shall recuse themselves from participation. A recused member shall leave the hearing room during deliberation and voting on the conflicted matter. All members shall comply with Nebraska Revised Statutes Chapter 49 regarding conflicts of interest.

904.06 Meetings and Quorum

The Board of Adjustment shall hold meetings as necessary to hear and decide appeals and variance applications within a reasonable time. All meetings shall be open to the public in accordance with Nebraska's Open Meetings Act, Nebraska Revised Statutes §84-1407 et seq. A quorum shall consist of three (3) members. No hearing shall be conducted without a quorum present. Regular meetings shall be scheduled as needed, with special meetings called by the Chair or upon written request of three (3) members.

904.07 Voting Requirements

The following voting thresholds shall apply to all Board of Adjustment actions, in accordance with Nebraska Revised Statutes §23-168.03:

- Grant of Variance: the concurring vote of four (4) members of the Board shall be required to grant any variance from the provisions of these Regulations as required by Nebraska Revised Statutes §23-168.03; a variance application that fails to receive four (4) concurring votes shall be deemed denied
- Reversal of Administrative Decision on Appeal: the concurring vote of four (4) members shall be required to reverse any order, requirement, decision, or determination made by the Zoning Administrator as required by Nebraska Revised Statutes §23-168.03
- Interpretation of Zoning Map: the concurring vote of four (4) members shall be required to render an interpretation of the Official Zoning Map
- All other procedural matters including continuances, scheduling, and election of officers: simple majority of members present, provided a quorum exists

904.08 Jurisdiction and Powers

The Board of Adjustment shall have the following jurisdiction and powers as conferred by Nebraska Revised Statutes §§23-168.01 through 23-168.03:

- Appeals: to hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or refusal made by the Zoning Administrator in the enforcement of these Regulations; the Board of Adjustment shall have no authority to hear and decide appeals regarding conditional use permits or special exceptions, which are governed by Article 10

- Map Interpretations: to hear and decide, in accordance with these Regulations, requests for interpretation of the Official Zoning Map
- Variances: to authorize, upon appeal, variances from the strict application of these Regulations where the criteria of Section 904.10 are met; no variance shall be granted to allow a use otherwise prohibited by these Regulations; see also Article 12

904.09 Appeals Procedure

An appeal to the Board of Adjustment may be taken by any person aggrieved by, or any officer or governmental agency affected by, a decision of the Zoning Administrator. Appeals shall be governed by the following procedure:

- Filing: appeals shall be filed with the Zoning Administrator within thirty (30) calendar days of the date of the decision being appealed; the appeal shall state the grounds for the appeal with specificity; the application fee specified in Appendix A shall accompany the appeal
- Stay of Proceedings: an appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Administrator certifies to the Board of Adjustment that a stay would cause imminent peril to life or property; in such case, proceedings shall not be stayed except by order of the Board or a court of competent jurisdiction
- Notice: public notice of the appeal hearing shall be published in a legal newspaper of general circulation in Perkins County at least ten (10) days prior to the hearing as required by Nebraska Revised Statutes §23-114.04(1); written notice shall also be mailed to the appellant and the Zoning Administrator
- Record Transmitted: upon receipt of a filed appeal, the Zoning Administrator shall transmit to the Board of Adjustment all papers constituting the record of the action being appealed
- Hearing: the Board of Adjustment shall fix a reasonable time for hearing the appeal at which the appellant and any other person may appear in person, by agent, or by attorney; the Board shall then decide the appeal
- Decision: the Board shall issue a written decision with findings of fact; the concurring vote of four (4) members shall be required to reverse any administrative decision; the Board may reverse or affirm, wholly or in part, or modify the decision appealed from and shall have all the powers of the Zoning Administrator with respect to the appealed decision

904.10 Variance Procedure

Applications for a variance shall be filed with the Zoning Administrator. The application shall include:

- A completed application form
- A site plan and survey showing existing conditions, dimensions, and relationship to adjacent properties
- A written statement describing the unique physical conditions of the property, the nature of the hardship, and the minimum variance necessary to allow reasonable use
- Evidence of compliance with any other applicable regulations
- Payment of the application fee specified in Appendix A

Public notice requirements for variances shall be the same as for appeals under Section 904.09. The Board of Adjustment shall hold a public hearing and issue a written decision with findings of fact within sixty (60) days of application, unless continued by consent of the applicant.

904.11 Variance Standards

A variance shall be granted only if the Board of Adjustment finds, based on the record, that all of the following criteria are met:

- The property has unique physical conditions – such as exceptional narrowness, shallowness, shape, or topographic conditions – present at the time of adoption of these Regulations, which create practical difficulties in complying strictly with the regulations as provided in Nebraska Revised Statutes §23-168.03(c)
- The hardship is not self-imposed or created by the actions of the applicant or any prior owner
- The variance will not alter the essential character of the surrounding area
- The variance requested is the minimum necessary to allow reasonable use of the property
- Granting the variance will not adversely affect the public interest, impair the purpose or intent of these Regulations, or substantially impair flood control or drainage
- The granting of the variance may be accomplished without substantial detriment to the public good and without substantially impairing the intent and purpose of any zoning regulations as required by Nebraska Revised Statutes §23-168.03(c)
- All variance decisions shall be supported by written factual findings based on the record

904.12 Prohibited Variances

The Board of Adjustment shall not grant a variance for any of the following, notwithstanding any other provision of this Section or Article 12:

- Use restrictions: no variance shall authorize a use that is otherwise prohibited in the applicable zoning district
- Requirements for conditional uses: variances shall not be used to circumvent conditional use permit requirements
- CAFO separation distances: no variance from the minimum separation distances required by Section 701 and Appendix C
- Floodway encroachment standards: no variance from the floodway encroachment prohibition of Section 6B06
- AP height restrictions within FAA imaginary surfaces: no variance from the height limits of Section 6A05 that would require a favorable FAA aeronautical study
- Renewable energy setbacks and performance standards: no variance from the setbacks, classification thresholds, prohibited area restrictions, or performance standards established in Section 704 for battery energy storage systems, solar energy systems, or wind energy systems
- Cryptocurrency mining operations standards: no variance from the setbacks, prohibited area restrictions, or performance standards established in Section 705
- Data center facility standards: no variance from the setbacks, prohibited area restrictions, or performance standards established in Section 706
- AI server facility standards: no variance from the setbacks, prohibited area restrictions, classification thresholds, or performance standards established in Section 707
- Utility-scale prohibitions: no variance shall be used to authorize any utility-scale renewable energy installation, cryptocurrency mining operation, data center, or AI server facility that is prohibited under Sections 704.3, 705, 706, or 707

904.13 Conditions of Approval

In granting a variance or deciding an appeal, the Board of Adjustment may impose such reasonable conditions as are necessary to ensure that the intent of these Regulations is upheld and that the variance or decision will not be detrimental to adjacent properties or the public welfare. Conditions shall be recorded with the variance decision and shall run with the land.

904.14 Judicial Review

Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may present to a court of record a petition duly verified setting forth that the decision is illegal in whole or in part and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board. The court may reverse or affirm, wholly or in part, or modify the decision brought up for review.

904.15 Compensation and Staff Support

Members of the Board of Adjustment shall receive such compensation as may be fixed by resolution of the County Board of Commissioners. Members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their official duties in accordance with County travel and expense policies. The Zoning Administrator shall provide administrative support to the Board of Adjustment including preparation of agendas, maintenance of minutes, recording of decisions, and coordination of public notice requirements.

ARTICLE 10 – CONDITIONAL USE PERMITS

SECTION 1001 – PURPOSE

Conditional use permits provide a mechanism for authorizing land uses that may be appropriate in specific locations within a zoning district when conditions can be imposed to ensure compatibility with surrounding properties, protect natural resources, and advance the goals and policies of the Perkins County Comprehensive Plan 2025-2035. A conditional use permit does not grant a right to develop; it is a discretionary approval based on findings that the proposed use meets all applicable standards and that adverse impacts can be adequately mitigated.

Conditional uses are those identified in Articles 4 through 7 of these regulations as requiring a conditional use permit, including but not limited to concentrated animal feeding operations regulated under Section 701, commercial and medium-scale battery energy storage systems regulated under Section 704.4, commercial solar energy systems and the authorized utility-scale solar installation regulated under Section 704.5, small commercial wind energy systems regulated under Section 704.6, industrial cryptocurrency mining operations regulated under Section 705, medium and Utility-Scale data center facilities regulated under Section 706, and Medium Commercial and Utility-Scale AI server facilities regulated under Section 707. The specific application requirements, public notice standards, performance standards, and conditions of approval established in those sections supplement and in cases of conflict shall control over the general provisions of this Article.

All conditional use permit decisions shall be consistent with the adopted Perkins County Comprehensive Plan 2025-2035 as required by Nebraska Revised Statutes §23-114.03. Consistency with the Comprehensive Plan is a threshold requirement for approval, not merely one factor to be weighed against others.

SECTION 1002 – PRE-APPLICATION CONFERENCE

Prior to submitting a formal conditional use permit application for any use regulated under Sections 701 through 707, applicants are strongly encouraged and for Class III, Class IV, and Class V CAFO, Utility-Scale Data Center, and Utility-Scale AI Facility applications are required to schedule a pre-application conference with the Zoning Administrator. The pre-application conference shall address:

- The applicable standards and classification of the proposed use
- Required application materials including studies, assessments, and financial assurance instruments
- Required agency coordination and anticipated agency review timelines
- The public notice timeline and hearing schedule
- The development agreement requirement for applications where applicable
- Potential compatibility issues and suggested site design approaches

A pre-application conference does not constitute approval or denial of any application, does not vest any rights in the applicant, and does not bind the Zoning Administrator, Planning Commission, or County Board to any particular outcome.

SECTION 1003 – APPLICATION REQUIREMENTS

1003.1 General Application Requirements

All conditional use permit applications shall include the following unless specifically waived in writing by the Zoning Administrator upon a finding that the item is not applicable to the proposed use:

- A completed application form available from the Zoning Administrator's office containing the applicant's legal name and contact information, the legal description of the property, the classification and description of the proposed use, the name and contact information of the property owner if different from the applicant, and certification by both the applicant and property owner
- A site plan drawn to scale by a licensed professional engineer or surveyor showing the boundaries of the property, location and dimensions of all existing and proposed structures, required setbacks from property lines and all other protected features, location of all wells, septic systems, and utilities on the property, access points to public roads, drainage patterns and stormwater management features, and the location of all neighboring dwellings, schools, churches, hospitals, and other protected uses within the applicable setback or notification radius
- A written project description explaining the nature of the proposed use, its hours of operation, estimated employment, utility demands, traffic generation, and operational characteristics relevant to the applicable performance standards
- Evidence of compliance with all other applicable regulations including state and federal permits required prior to or concurrent with conditional use permit approval
- A traffic impact study prepared by a licensed professional engineer for all applications where construction or operation will require oversize or overweight loads on county roads or where the Zoning Administrator determines that traffic impacts warrant analysis based on the scale of the proposed use; specific traffic study requirements for technology facility applications are established in Sections 704 through 707
- An environmental impact assessment for all Class II, Class III, and Class IV CAFO applications, Commercial Solar, Medium Commercial BESS, Small Commercial Wind, Medium Commercial Data Center, Medium Commercial AI Facility, and all larger classifications; specific environmental assessment requirements are established in Sections 701 through 707
- A baseline noise study for all applications where noise standards are established in Sections 701 through 707 for the applicable classification
- A property value impact analysis prepared by a licensed Nebraska appraiser for all applications where this requirement is established in Sections 701 through 707
- Proof of financial assurance instruments including decommissioning bonds, performance bonds, and insurance certificates meeting the requirements established in the applicable section of Sections 701 through 707; financial assurance instruments shall be submitted and accepted by the Zoning Administrator prior to permit issuance even if submitted after the public hearing
- A development agreement executed with the County Board for all Utility-Scale Data Center and Utility-Scale AI Facility applications as required by Sections 706 and 707
- A road use agreement executed with Perkins County for all applications where construction requires oversize or overweight loads on county roads
- Payment of the applicable permit fee as established in Appendix A

1003.2 Specific Application Requirements

In addition to the general requirements of Section 1003.1, applications for uses regulated under Sections 701 through 707 shall include all materials specifically required by those sections. In cases of conflict between the general requirements of this Article and the specific requirements of Sections 701 through 707, the specific requirements shall control.

1003.3 Application Completeness Review

Upon receipt of a conditional use permit application, the Zoning Administrator shall review it for completeness within thirty (30) days. If the application is incomplete, the Zoning Administrator shall provide written notice to the applicant identifying the missing or deficient materials. When additional information is submitted, the Zoning Administrator shall redetermine completeness within thirty (30) days. The public notice and review timeline does not begin until a complete application has been received. An application that remains incomplete for one hundred eighty (180) days after notice of deficiency shall be considered withdrawn and the applicant shall be required to submit a new application with a new fee.

1003.4 Agency Coordination

Upon receipt of a complete application the Zoning Administrator shall transmit copies of the application to all applicable state and federal agencies within the timeframes established in Sections 701 through 707, including the Nebraska Department of Water, Energy, and Environment, the Upper Republican Natural Resources District, the Nebraska Game and Parks Commission, the Federal Aviation Administration where applicable under Article 6A, the Nebraska Department of Transportation for applications generating significant traffic on state highways, and any other agency whose jurisdiction is implicated by the proposed use. Agency comments received prior to the close of the public hearing record shall be included in the staff report and made available to the public. Nothing in this Section shall be construed to require an applicant to obtain any separate state, federal, or local permit as a prerequisite to conditional use permit approval, provided that the County may require reasonable information relevant to whether the applicant will be able to comply with those separate requirements.

1003.5 Application Withdrawal

An applicant may withdraw a conditional use permit application at any time prior to final County Board action by filing written notice of withdrawal with the Zoning Administrator. Withdrawn applications shall be closed and permit fees shall not be refunded. An applicant who withdraws an application after a public hearing has been conducted may not resubmit a substantially similar application for the same property for a period of one (1) year from the date of withdrawal unless the County Board waives this limitation upon finding that material circumstances have changed.

SECTION 1004 – REVIEW PROCESS

1004.1 Staff Review and Report

The Zoning Administrator shall prepare a written staff report for each complete conditional use permit application. The staff report shall be completed and distributed to the Planning Commission and made available to the public at least ten (10) days prior to the scheduled public hearing. The staff report shall include:

- A summary of the proposed use and its classification under applicable sections of these regulations
- An analysis of the application's compliance with all applicable performance standards, setback requirements, prohibited area restrictions, and other standards of the applicable section
- A summary of all agency comments received

- A finding regarding consistency with the Perkins County Comprehensive Plan 2025–2035
- A recommended action with specific conditions recommended for inclusion if approval is recommended
- For applications where the Comprehensive Plan is silent on the proposed use type, an analysis of whether the proposed use is consistent with the goals, objectives, and land use policies of the Plan

1004.2 Public Notice

Public notice for conditional use permit hearings shall comply with the specific requirements established in the applicable section of Sections 701 through 707. Where no specific notice period is established in those sections, notice shall comply with the following minimum standards:

- Publication in a legal newspaper of general circulation in Perkins County at least ten (10) days prior to the Planning Commission public hearing as required by Nebraska Revised Statutes §23-114.04(1)
- Certified mail notification to all property owners within one (1) mile of the subject property at least thirty (30) days prior to the Planning Commission public hearing
- Posted notice on the subject property at least ten (10) days prior to the Planning Commission public hearing

Where Sections 701 through 707 establish longer notice periods or larger notification radii, those requirements shall govern. The Planning Commission public hearing shall not be conducted until all required notice periods have been satisfied.

1004.3 Planning Commission Public Hearing

The Planning Commission shall hold a duly noticed public hearing on each conditional use permit application. At the hearing the Planning Commission shall:

- Present the staff report and any agency comments received
- Provide the applicant an opportunity to present the application and respond to the staff report
- Receive testimony from all members of the public wishing to be heard
- Receive and review all submitted written comments
- Close the public hearing record upon motion; the record may be held open to a date certain to receive additional written comments or supplemental information from the applicant

The Planning Commission may continue the public hearing to a date certain upon motion and majority vote without requiring new published notice if the continuance date is announced at the original hearing.

1004.4 Planning Commission Recommendation

Within sixty (60) days of the close of the public hearing record the Planning Commission shall adopt a written recommendation to the County Board recommending approval, approval with conditions, or denial of the conditional use permit application. The recommendation shall include:

- A statement of the proposed use and its classification
- Specific findings of fact based on the hearing record addressing each of the approval criteria of Section 1005
- An explicit finding regarding consistency with the Perkins County Comprehensive Plan 2025–2035
- If approval is recommended, a complete list of all proposed conditions of approval
- If denial is recommended, the specific grounds for denial and the applicable regulatory standards on which the denial is based

If the Planning Commission fails to adopt a recommendation within sixty (60) days of the close of the hearing record, the County Board may proceed to act on the application without a Planning Commission recommendation unless the applicant has consented in writing to an extension.

1004.5 County Board Action

Upon receipt of the Planning Commission's recommendation the County Board shall:

- Conduct a public hearing on the application with notice published in a legal newspaper of general circulation in Perkins County at least ten (10) days prior to the hearing as required by Nebraska Revised Statutes §23-114.04(1)
- Consider the Planning Commission's written recommendation, the staff report, the hearing record from the Planning Commission hearing, and any additional testimony received at the County Board hearing
- Issue a final written decision approving, approving with conditions, or denying the application with written findings of fact addressing each of the approval criteria of Section 1005

For all conditional use permits, a separate County Board public hearing is required in addition to the Planning Commission hearing as established in this document respectively. The County Board shall act on these applications within sixty (60) days of receipt of the Planning Commission recommendation unless the applicant consents in writing to an extension.

1004.6 Joint Hearings

For complex applications where efficiency would benefit all parties, the Planning Commission and County Board may hold a joint public hearing upon agreement of both bodies. A joint hearing satisfies the hearing requirements of both Section 1004.3 and Section 1004.5. Following the joint hearing the Planning Commission shall adopt its recommendation and the County Board shall thereafter deliberate and take final action as separate bodies.

SECTION 1005 – STANDARDS FOR APPROVAL

A conditional use permit may be approved only if the Planning Commission recommends and the County Board finds, based on the record, that all of the following criteria are satisfied:

1005.1 Comprehensive Plan Consistency

The proposed use is consistent with the adopted Perkins County Comprehensive Plan 2025–2035 including its vision statement, goals and objectives, land use element, and Future Land Use Plan. Consistency with the Comprehensive Plan is a threshold requirement; an application that is inconsistent with the Comprehensive Plan shall be denied regardless of whether other criteria are satisfied. Where the Comprehensive Plan does not specifically address the proposed use type, the County Board shall find that the use is consistent with the general goals, land use policies, and character of development anticipated for the area.

1005.2 Agricultural Land Protection

The proposed use will not result in the permanent conversion of prime agricultural land classified as Class I or Class II by the Natural Resources Conservation Service to non-agricultural uses, or if such conversion is unavoidable, the applicant has demonstrated that the long-term economic benefits to the county substantially outweigh the loss of agricultural productive capacity and that all feasible measures to minimize agricultural land impacts have been incorporated into the site design.

1005.3 Groundwater and Natural Resource Protection

The proposed use will not create an unreasonable risk of contamination or depletion of the Ogallala Aquifer or other groundwater resources, will not cause significant adverse impacts to wetlands, watercourses, or other natural resources, and all required groundwater protection measures, NRD approvals, and environmental safeguards have been or will be obtained and implemented at the stage required by the applicable agency and as conditions of approval where appropriate.

1005.4 Compatibility with Surrounding Land Uses

The proposed use is compatible with the character, scale, and nature of surrounding land uses and will not create conflicts with neighboring agricultural operations, residential uses, or other established uses in the area. Where incompatibilities exist, they can be adequately mitigated through conditions of approval including setbacks, screening, operational limitations, and performance standards.

1005.5 Infrastructure Adequacy

Adequate public infrastructure including roads, electrical service, telecommunications, and emergency services is available or will be made available to serve the proposed use without unreasonably burdening public resources or degrading service to existing users including agricultural irrigation loads. Where infrastructure improvements are required, the applicant has demonstrated financial capacity and commitment to fund all required improvements.

1005.6 Environmental Protection

The proposed use will not cause significant adverse environmental impacts that cannot be mitigated through conditions of approval, including impacts on air quality, water quality, soil resources, wildlife habitat, and scenic resources. Required environmental impact assessments have been completed and reviewed, and their findings have been addressed in the conditions of approval.

1005.7 Traffic and Road Use

The proposed use will not create traffic volumes or vehicle types on county roads that exceed the capacity or structural integrity of those roads, or if such impacts are anticipated, the applicant has demonstrated that a road use agreement and any necessary bonding will be executed prior to commencement of construction or operation, as applicable.

1005.8 Financial Capacity and Assurance

The applicant has demonstrated financial capacity to construct, operate, and decommission the proposed facility and to meet all financial assurance requirements established in the applicable section of Sections 701 through 707. All required decommissioning bonds, performance bonds, and insurance certificates shall be submitted and accepted prior to permit issuance, construction, or operation, as applicable under the specific use regulations.

1005.9 Adverse Impact Mitigation

All adverse impacts of the proposed use on neighboring properties, the environment, public infrastructure, and community character can be adequately mitigated through reasonable conditions of approval that the applicant has agreed to accept.

1005.10 Compliance with Applicable Standards

The proposed use complies with all applicable performance standards, setback requirements, prohibited area restrictions, height limits, noise standards, visual requirements, fire safety standards, electrical infrastructure requirements, and all other standards established in the applicable section of Articles 4 through 7. In reviewing compliance, the Planning Commission and County Board may consider reasonable information relevant to separate state and federal permitting requirements but shall not require final issuance of those separate permits as a condition precedent to local conditional use permit approval.

SECTION 1006 – CONDITIONS OF APPROVAL

1006.1 Authority to Impose Conditions

The County Board may impose such reasonable conditions on a conditional use permit as are necessary to ensure compliance with these regulations, protect neighboring properties, implement the standards of the applicable section of Articles 4 through 7, and advance the goals and policies of the Perkins County Comprehensive Plan 2025–2035. Conditions shall be directly related to the impacts of the proposed use and shall be roughly proportional to those impacts.

1006.2 Required Conditions

All conditional use permits shall include the following conditions as applicable to the proposed use:

- Compliance with all performance standards, setback requirements, and other applicable standards of the section under which the permit is issued
- Submission and maintenance of all required financial assurance instruments including decommissioning bonds, performance bonds, and insurance certificates in the amounts and forms required by the applicable section of Sections 701 through 707; financial assurance instruments shall remain in effect for the full operational life of the facility and through completion of decommissioning
- Execution and recording of any required development agreement or road use agreement prior to commencement of construction
- Compliance with all applicable state and federal permits and regulations; copies of all required state and federal permits shall be filed with the Zoning Administrator within thirty (30) days of issuance
- Filing of all required emergency response plans with the Perkins County Emergency Manager and local fire department prior to energization or commencement of operations
- Annual compliance reporting to the Zoning Administrator by March 1 of each year as required by the applicable section
- Submission of as-built drawings prepared by a licensed professional engineer prior to issuance of a Certificate of Compliance confirming all required setbacks, heights, and facility specifications conform to the approved permit

1006.3 Discretionary Conditions

In addition to the required conditions of Section 1006.2 the County Board may impose discretionary conditions addressing:

- Operational limitations including hours of operation, permitted activities, and restricted activities
- Expiration or renewal timelines where the proposed use is temporary or where changed circumstances may warrant future review
- Enhanced performance standards beyond the minimums established in these regulations where site-specific conditions warrant additional protection
- Landscaping, buffering, and screening requirements beyond the minimums established in these regulations
- Monitoring and reporting requirements beyond those established in the applicable section
- Local hiring commitments and economic benefit obligations for Utility-Scale Data Center and Utility-Scale AI Facility applications
- Any other conditions reasonably necessary to mitigate the specific impacts of the proposed use on the surrounding area

1006.4 Conditions Run with the Land

All conditions of a conditional use permit shall run with the land and shall be binding on the applicant, the property owner, and all successors and assigns in interest to the property. Conditions shall be recorded with the County Register of Deeds as part of the conditional use permit and shall appear in the chain of title for the property.

SECTION 1007 – PERMIT TRANSFER AND AMENDMENT

1007.1 Transfer of Conditional Use Permit

A conditional use permit may be transferred to a new owner or operator upon written application to the Zoning Administrator demonstrating that:

- The transferee has reviewed and agrees in writing to be bound by all conditions of the existing permit
- The transferee has submitted updated financial assurance instruments meeting all requirements of the applicable section of Sections 701 through 707 in the transferee's name
- No material changes to the facility or its operations are proposed in connection with the transfer
- The transferee has provided updated insurance certificates naming Perkins County as additional insured

Permit transfers do not require a new public hearing unless material changes to the facility or operations are proposed. The Zoning Administrator shall process transfer applications within thirty (30) days of receipt of a complete transfer application.

1007.2 Amendment of Conditional Use Permit

A permit holder may apply to amend the conditions of an existing conditional use permit. Minor amendments that do not increase the scale, intensity, or off-site impacts of the permitted use may be approved by the Zoning Administrator without a new public hearing. Major amendments including increases in generating capacity, building footprint, IT load, or animal unit count; changes to required setbacks or screening; or changes to financial assurance requirements shall require a new public hearing before the Planning Commission and County Board following the same process as a new application.

SECTION 1008 – PERMIT REVOCATION

1008.1 Grounds for Revocation

A conditional use permit may be revoked by the County Board upon finding that:

- The permit holder has violated one or more conditions of the permit and has failed to cure the violation within the time period established by the Zoning Administrator following written notice
- The permit holder has obtained the permit through fraud, misrepresentation, or submission of false information
- The permitted use has been abandoned as defined in the applicable section of Sections 701 through 707 or as defined in Article 11
- The permit holder has failed to obtain or maintain required state or federal permits or has had such permits revoked
- The permit holder has failed to maintain required financial assurance instruments including decommissioning bonds, performance bonds, or insurance certificates in the required amounts

1008.2 Revocation Procedure

Prior to revocation the Zoning Administrator shall provide written notice to the permit holder stating the grounds for proposed revocation and providing a reasonable opportunity to cure – not less than thirty (30) days except in cases of imminent threat to public health or safety. If the violation is not cured within the notice period the Zoning Administrator shall refer the matter to the County Board for a revocation hearing. The County Board shall provide written notice of the revocation hearing to the permit holder at least twenty (20) days prior to the hearing. The permit holder shall have the right to appear and present evidence at the revocation hearing. The County Board shall issue a written decision with findings of fact within thirty (30) days of the revocation hearing.

1008.3 Effect of Revocation

Upon revocation of a conditional use permit the permit holder shall immediately cease the permitted use and shall commence decommissioning within thirty (30) days of the revocation decision. Decommissioning shall be completed within the timeline established in the applicable section of Sections 701 through 707. Failure to complete decommissioning within the required timeline shall authorize the County to draw on the decommissioning bond to complete site restoration at the permit holder's expense. A revoked conditional use permit may not be reinstated; the former permit holder may apply for a new conditional use permit subject to all current standards.

SECTION 1009 – PERMIT EXPIRATION AND ABANDONMENT

A conditional use permit shall expire if the permitted use has not commenced within twenty-four (24) months of permit issuance. One extension of twelve (12) months may be granted by the Zoning Administrator upon written request submitted before expiration demonstrating good cause for the delay. If the permitted use commences but is subsequently abandoned as defined in the applicable section of Sections 701 through 707, the permit shall be considered expired and decommissioning obligations shall be triggered. The Zoning Administrator shall document findings of abandonment in writing and provide notice to the permit holder and all financial assurance instrument obligors within thirty (30) days of the abandonment finding.

ARTICLE 11 – NONCONFORMING USES, STRUCTURES, AND LOTS

SECTION 1101 – INTENT

These provisions recognize that uses, structures, and lots lawfully established prior to the adoption or amendment of these regulations may not conform to current standards. It is the intent of this Article to allow such nonconforming uses, structures, and lots to continue in a manner that does not threaten public health, safety, or welfare, while encouraging their eventual conformance through natural attrition, redevelopment, and changes in ownership. These provisions shall be interpreted to avoid undue hardship to property owners whose lawful investments predate current regulatory requirements while firmly discouraging the expansion, intensification, or perpetuation of nonconformities beyond what is necessary for the reasonable use of the property.

This Article shall be read in conjunction with the following provisions which establish specific nonconforming use standards for particular use categories and overlay districts:

- Section 704.10 – grandfathering of lawfully approved renewable energy installations including any pre-existing utility-scale solar project at the time of adoption of these regulations; and Sections 704.4, 704.5, 704.6, 705.4, the Financial Assurance subsection of Section 706, and Section 707.11 for use-specific abandonment timelines that supersede the general twelve-month standard of this Article
- Section 6A08 – nonconforming structures within the AP Airport Protection Overlay District
- Section 6B – nonconforming structures within the FP Floodplain Overlay District
- Section 703.6 – nonconforming signs
- Article 10 Section 1008 – effect of conditional use permit revocation on use rights

Where a specific provision of Sections 704 through 707 or Articles 6A and 6B establishes nonconforming use standards for a particular use category or overlay district, those specific provisions shall control over the general provisions of this Article. A use or structure for which a conditional use permit has been revoked under Section 1008 does not acquire nonconforming use status under this Article; the permit holder's rights and obligations upon revocation are governed exclusively by Section 1008.

SECTION 1102 — NONCONFORMING USES

1102.1 Continuation

A land use that was lawfully established prior to the adoption or amendment of these regulations but does not conform to the use regulations of the applicable zoning district may continue subject to all restrictions of this Section. The burden of demonstrating that a use was lawfully established prior to the applicable regulatory change rests with the property owner.

1102.2 Restrictions on Continuation

A nonconforming use shall not be:

- Extended, expanded, or enlarged in area, intensity, hours of operation, or scope beyond that which existed at the time the use became nonconforming; any expansion of a nonconforming use in any dimension constitutes a new use subject to current regulations
- Changed to a different nonconforming use; a nonconforming use may be changed to a conforming use at any time and such change shall be encouraged; once changed to a conforming use the property may not revert to the prior nonconforming use

- Moved to a different location on the same property or to a different property; if a nonconforming use is relocated it must conform to all current regulations at the new location
- Reestablished after discontinuance for a period of twelve (12) or more consecutive months as provided in Section 1102.3

1102.3 Discontinuance and Abandonment

A nonconforming use that has been discontinued for twelve (12) or more consecutive months shall be presumed abandoned and shall not be reestablished. Discontinuance means the cessation of the active conduct of the use, regardless of the intent of the property owner to resume operations. Evidence of discontinuance includes but is not limited to the removal of equipment, inventory, or operational infrastructure; termination of utility service; cessation of employment associated with the use; and public statements or actions indicating intent to cease operations.

The following shall not constitute discontinuance for purposes of this Section:

- Temporary interruption of an agricultural operation during a normal seasonal cycle, provided the operation resumes within the same or following growing or grazing season
- Temporary interruption of any use due to fire, flood, tornado, or other natural disaster, provided operations resume within twenty-four (24) months of the casualty event and reconstruction is undertaken diligently
- Temporary interruption due to illness, military service, or other involuntary circumstance affecting the property owner or operator, provided the interruption does not exceed thirty-six (36) months and the property owner provides written notice to the Zoning Administrator within ninety (90) days of the commencement of the interruption

For nonconforming uses regulated under Sections 701 through 707, the abandonment standards and decommissioning obligations of those sections shall control over this Section. Where Section 701 through 707 establish a different abandonment period or trigger different consequences upon abandonment than this Section, those specific provisions shall govern.

1102.4 Nonconforming Agricultural Operations

Agricultural operations including crop production, livestock grazing, and farm buildings lawfully conducted prior to the adoption or amendment of these regulations are recognized as priority uses in Perkins County consistent with the right-to-farm protections of Section 409. Nonconforming agricultural operations shall not be subject to the discontinuance provisions of Section 1102.3 solely on the basis of seasonal inactivity or normal variation in agricultural production methods or crop selection. Concentrated Animal Feeding Operations that were lawfully established prior to the adoption of these regulations but do not conform to the separation distance standards of Section 701 may continue to operate as nonconforming uses provided they maintain all required NDWEE permits and comply with all applicable state and federal regulations. Such operations shall not expand their animal unit count beyond that which was lawfully authorized prior to the applicable regulatory change without full compliance with current Section 701 standards. Any expansion of a nonconforming CAFO shall trigger review under Section 701 for the full expanded operation.

1102.5 Nonconforming Renewable Energy and Technology Facility Uses

Renewable energy installations, cryptocurrency mining operations, data center facilities, and AI server facilities lawfully established prior to the adoption or amendment of these regulations that do not conform to the classification thresholds, setbacks, performance standards, or prohibited area restrictions of Sections 704 through 707 as amended may continue to operate as nonconforming uses subject to the following:

- No expansion of generating capacity, IT load, mining capacity, building footprint, or operational scope beyond that which was lawfully established prior to the applicable regulatory change
- All financial assurance instruments required by the applicable section of Sections 704 through 707 at the time of initial establishment shall be maintained and updated throughout the operational life of the facility
- Compliance with all applicable state and federal regulations shall be maintained continuously
- The grandfathering and nonconforming use provisions of Section 704.10 shall govern lawfully approved renewable energy installations and shall control over this Section for those specific installations

1102.6 Amortization

The County Board may by resolution establish a reasonable amortization schedule for specific categories of nonconforming uses in proximity to residential areas, incorporated municipalities, or community boundaries, provided that:

- The amortization schedule gives affected property owners adequate time to recoup a reasonable portion of their remaining investment in the nonconforming use
- Written notice is provided to all affected property owners at least one hundred eighty (180) days prior to the effective date of the amortization schedule
- The amortization period is not less than three (3) years for uses where significant capital investment has been made
- The amortization schedule does not apply to agricultural operations protected by Section 409 or to lawfully approved conditional use permits with unexpired terms

SECTION 1103 – NONCONFORMING STRUCTURES

1103.1 Continuation

A structure that was lawfully constructed prior to the adoption or amendment of these regulations but does not conform to current setback, height, lot coverage, or other dimensional standards may continue to be used and maintained subject to all restrictions of this Section. A nonconforming structure may be used for any use permitted in the applicable zoning district.

1103.2 Routine Maintenance and Repair

Routine maintenance and repairs necessary to keep a nonconforming structure in safe condition and good repair are permitted without restriction, including painting, roofing, window replacement, mechanical system upgrades, plumbing and electrical updates required by applicable codes, and accessibility modifications required by state or federal law. Routine maintenance and repair that does not alter the exterior dimensions, footprint, or height of a nonconforming structure shall not be considered an improvement subject to the threshold of Section 1103.3.

Energy efficiency improvements including insulation, window replacement, HVAC upgrades, and similar measures shall be permitted on nonconforming structures without triggering full compliance requirements regardless of cost, provided no exterior dimensional changes result. The County Board finds that encouraging energy efficiency improvements in existing structures advances the energy conservation goals of the Perkins County Comprehensive Plan 2025–2035 and this finding shall guide the interpretation of this provision.

1103.3 Structural Alterations and Improvements

Structural alterations, additions, and improvements to a nonconforming structure that cumulatively exceed fifty percent (50%) of the current replacement cost of the structure — as determined by the Zoning Administrator using standard construction cost data for comparable structures in the region — shall require full compliance with current zoning regulations for all aspects of the structure and use. Replacement cost rather than assessed value shall be used as the measurement basis because assessed value in Nebraska agricultural counties may significantly understate the actual cost of reconstruction.

Cumulative improvements shall be measured over any rolling five (5) year period. The Zoning Administrator shall maintain a record of all permitted improvements to nonconforming structures to enable accurate tracking of cumulative costs. When a permit applicant believes that proposed improvements may approach or exceed the threshold, the Zoning Administrator shall provide a written cost determination prior to permit issuance.

1103.4 Destruction by Casualty

A nonconforming structure destroyed by fire, flood, tornado, or other natural disaster may be reconstructed to its pre-casualty dimensions, location, and use within twenty-four (24) months of the casualty event, provided:

- Reconstruction is substantially similar to the destroyed structure in footprint, height, and use
- Reconstruction does not increase the degree of nonconformity in any dimension
- A zoning permit for reconstruction is obtained within twelve (12) months of the casualty event
- Reconstruction is undertaken diligently and completed within the twenty-four (24) month period

Reconstruction that increases the footprint, height, or degree of nonconformity of the destroyed structure shall require full compliance with current zoning regulations for the enlarged or altered portions. A nonconforming structure voluntarily demolished by the property owner shall not be reconstructed as a nonconforming structure; reconstruction shall comply with all current zoning regulations.

1103.5 Agricultural Building Exemptions

Agricultural buildings on farmsteads of twenty (20) acres or more producing at least one thousand dollars ($1,000) annually in agricultural products are exempt from zoning permit requirements under Nebraska Revised Statutes §23-114.03. Such buildings may be maintained, repaired, and reconstructed without regard to the thresholds of Section 1103.3 provided the building continues to be used exclusively for agricultural purposes. Any conversion of an agricultural building to commercial, industrial, or non-agricultural use subjects the building to full compliance with current zoning regulations for the new use.

1103.6 Nonconforming Structures in Overlay Districts

Nonconforming structures within the AP Airport Protection Overlay District are additionally subject to the specific provisions of Section 6A08, which prohibit any increase in height that further penetrates FAA imaginary surfaces. Nonconforming structures within the FP Floodplain Overlay District are additionally subject to the substantial improvement and substantial damage provisions of Section 6B, which may require elevation or floodproofing as a condition of reconstruction. Where overlay district provisions are more restrictive than this Section, the overlay district provisions shall control.

SECTION 1104 – NONCONFORMING LOTS

1104.1 Continuation

A lot that was lawfully created prior to the adoption or amendment of these regulations but does not conform to current minimum lot size, lot width, lot depth, or road frontage requirements may be used for any use permitted in the applicable zoning district, provided that:

- The lot was lawfully created as a separate parcel of record prior to the applicable regulatory change
- All applicable setback requirements of the current regulations are met to the greatest extent practicable given the lot dimensions
- The proposed use and any structures comply with all applicable performance standards, height limits, and use regulations of the applicable zoning district

1104.2 Merger

Where two (2) or more nonconforming lots under common ownership are contiguous, they shall be treated as a single lot for purposes of these regulations if combining them would create a conforming or more conforming lot. The Zoning Administrator may require proof of ownership and lot history to determine whether merger applies.

1104.3 Development of Nonconforming Lots

A nonconforming lot may be developed with a principal structure and accessory uses permitted in the applicable zoning district. Where the lot dimensions make it impossible to meet all setback requirements, the Board of Adjustment may grant a variance under Section 904.10 provided the minimum setback variance is the minimum necessary to allow reasonable use of the lot and all other variance criteria are satisfied.

SECTION 1105 – NONCONFORMING SIGNS

Signs that were lawfully erected prior to the adoption or amendment of these regulations and do not conform to the standards of Section 703 may continue as nonconforming structures subject to Section 703.6 and the general provisions of this Article. Nonconforming signs shall not be enlarged, relocated, or structurally altered except to bring them into conformance with current standards. Electronic message boards that do not conform to the illumination and animation standards of Section 703.4 shall be brought into full conformance within three (3) years of the effective date of these regulations as a reasonable amortization period given their relatively limited capital investment compared to other nonconforming uses.

SECTION 1106 – DETERMINATION OF NONCONFORMING STATUS

Any property owner may request a written determination of nonconforming status from the Zoning Administrator by submitting a written request with supporting documentation including proof of the date the use or structure was established, evidence that the use or structure was lawfully authorized at that time, and a description of how the use or structure does not conform to current regulations. The Zoning Administrator shall issue a written determination within thirty (30) days of receipt of a complete request. Determinations of nonconforming status may be appealed to the Board of Adjustment under Section 904.09. A written determination of nonconforming status does not authorize any expansion, intensification, or change of the nonconforming use or structure beyond its current scope.

ARTICLE 12 – VARIANCES

SECTION 1201 – PURPOSE AND AUTHORITY

1201.1 Purpose

The variance process provides relief from the strict application of these regulations in cases where unique physical conditions of a specific property create practical difficulties that make literal compliance with dimensional or development standards unreasonably burdensome. Variances are not intended to be used as a mechanism for authorizing uses that are otherwise prohibited, for circumventing conditional use permit requirements, or for avoiding the specific performance standards established to protect public health, safety, agricultural resources, groundwater, and neighboring properties under Sections 701 through 707 and Articles 6A and 6B.

1201.2 Authority

The Board of Adjustment is authorized to grant variances from specific dimensional and development standards of these regulations in accordance with Nebraska Revised Statutes §§23-168.01 through 23-168.03 and the standards and procedures of this Article. The authority of the Board of Adjustment to hear variance applications is established in Section 904.08 and the voting requirements for granting a variance are established in Section 904.07. This Article and Section 904 shall be read together as a unified framework governing the variance process; in cases of conflict Section 904 shall control as the more specific provision.

1201.3 Administrative Appeals Distinguished

Administrative appeals from decisions of the Zoning Administrator are governed by Sections 904.08 and 904.09 and are distinct from variance applications under this Article. An applicant who disagrees with a Zoning Administrator determination regarding the applicability of a zoning standard may pursue an administrative appeal under Section 904.09 without filing a variance application. An applicant who acknowledges that a standard applies but seeks relief from its strict application shall file a variance application under this Article.

1201.4 Variances Run with the Land

A variance granted under this Article runs with the land and is binding on the applicant, the property owner, and all successors and assigns in interest to the property. Variances shall be recorded with the County Register of Deeds and shall appear in the chain of title for the property. A variance does not authorize any use or development beyond the specific relief granted and shall be read narrowly in favor of the regulations from which relief is granted.

SECTION 1202 – STANDARDS FOR GRANTING A VARIANCE

A variance shall be granted only if the Board of Adjustment finds, based on substantial evidence in the hearing record, that all of the following criteria are satisfied. The burden of proof rests entirely with the applicant. A variance application that fails to establish any one of these criteria shall be denied.

1202.1 Unique Physical Conditions

The property has unique physical conditions – such as exceptional narrowness, shallowness, irregular shape, topographic constraints, or the presence of natural features – that were present at the time of adoption or amendment of these regulations and that are not shared generally by other properties in the same zoning district. The unique conditions must create practical difficulties in complying strictly with the specific regulation from which relief is sought, as provided in Nebraska Revised Statutes §23-168.03(c). General economic hardship, a desire to maximize development value, or the cost of compliance alone do not constitute unique physical conditions for purposes of this criterion.

1202.2 Hardship Not Self-Imposed

The practical difficulty or hardship created by the unique physical conditions is not self-imposed and was not created by the actions of the applicant or any prior owner. A hardship is self-imposed if it results from the applicant's own decision regarding how to develop the property, the subdivision of land that created the nonconforming dimensions, or the voluntary placement of structures in locations that now constrain future development options. An applicant who purchased property with knowledge of its nonconforming dimensions is not thereby barred from seeking a variance, but the purchase price paid and the known limitations of the property at acquisition shall be considered by the Board in evaluating whether the hardship is genuine.

1202.3 No Alteration of Essential Character

Granting the variance will not alter the essential character of the surrounding area, impair the use or value of neighboring properties, or create a precedent that would undermine the intent of the regulations if applied generally to similar properties throughout the zoning district. The Board shall consider whether the variance, if granted as requested, would be consistent with the pattern of development in the surrounding area and compatible with the agricultural character of Perkins County.

1202.4 Minimum Variance

The variance requested is the minimum necessary to allow reasonable use of the property given its unique physical conditions. The Board shall not grant a variance larger than the minimum necessary to afford relief, even if the applicant requests a larger variance. If the minimum necessary variance is a prohibited variance under Section 1203, the application shall be denied regardless of the applicant's hardship.

1202.5 No Adverse Effect on Public Interest

Granting the variance will not adversely affect the public interest, impair the purpose or intent of these regulations, create a threat to public health or safety, or substantially impair flood control, drainage, or groundwater protection. The Board shall consider the impacts of the variance on neighboring properties, agricultural operations, natural resources, and the goals and policies of the Perkins County Comprehensive Plan 2025–2035.

1202.6 Statutory Finding

Granting the variance may be accomplished without substantial detriment to the public good and without substantially impairing the intent and purpose of these zoning regulations, as required by Nebraska Revised Statutes §23-168.03(c). This statutory finding is a separate and independent requirement from the criteria of Sections 1202.1 through 1202.5 and must be affirmatively established on the record.

SECTION 1203 – PROHIBITED VARIANCES

The Board of Adjustment shall not grant a variance for any of the following, notwithstanding any other provision of this Article, Section 904, or any other provision of these regulations. The prohibited variance list is exhaustive and may not be circumvented through creative variance applications, conditions of approval, or interpretations of authority. No degree of hardship, however severe, justifies granting a prohibited variance; the appropriate relief in such cases is a zoning text amendment under Article 13 or a legislative determination by the County Board.

1203.1 Use Restrictions

No variance shall authorize a use that is otherwise prohibited in the applicable zoning district or that requires a conditional use permit without obtaining such permit through the process established in Article 10.

1203.2 Conditional Use Permit Requirements

No variance shall be used to circumvent the requirement to obtain a conditional use permit for any use identified as a conditional use in Articles 4 through 7. An applicant who qualifies for a conditional use permit but finds the process burdensome does not have standing to seek a variance in lieu of the required permit.

1203.3 CAFO Separation Distances

No variance from the minimum separation distances required by Section 701 and Appendix C for concentrated animal feeding operations. The separation distances established in Section 701 are based on public health, environmental protection, and quality of life considerations that apply uniformly to all CAFOs of the applicable classification and may not be reduced on a property-specific basis.

1203.4 Floodplain Standards

No variance from the floodway encroachment prohibition of Section 6B06 or from the base flood elevation and substantial improvement standards of Article 6B that would jeopardize Perkins County's participation in the National Flood Insurance Program or violate minimum NFIP standards required by 44 CFR Part 60.

1203.5 Airport Protection Standards

No variance from the height limits of Section 6A05 that would penetrate any FAA Part 77 imaginary surface or that would require a favorable FAA aeronautical study determination as a condition of the variance. FAA aeronautical study determinations are federal actions not within the authority of the Board of Adjustment to require or condition.

1203.6 Renewable Energy Systems

No variance from any of the following standards established in Section 704 may be granted, except to the limited extent authorized by Nebraska Revised Statutes §66-914 for solar energy systems or wind energy conversion systems when the statutory findings for such relief are made:

- Classification thresholds and the utility-scale prohibition of Section 704.3
- Prohibited area restrictions of Section 704.2
- Setback requirements for any BESS, solar, or wind energy classification
- Performance standards including noise standards, visual requirements, fire safety standards, and environmental standards
- Financial assurance requirements
- The limitation of not more than one (1) active Utility-Scale Solar installation and not more than one (1) active Utility-Scale BESS installation in Perkins County at any given time

1203.7 Cryptocurrency Mining Operations

No variance from any of the following standards established in Section 705:

- Classification thresholds
- Prohibited area restrictions of Section 705.2
- Setback requirements for any mining classification
- Performance standards including noise standards, visual requirements, fire safety standards, and electrical infrastructure standards
- Financial assurance requirements
- The limitation of not more than one (1) active Utility-Scale Cryptocurrency Mining Operation in Perkins County at any given time, as established in Section 705.1

1203.8 Data Center Facility Standards

No variance from any of the following standards established in Section 706:

- Classification thresholds
- Prohibited area restrictions of Section 706.2
- Setback requirements for any data center classification
- The Preferred Development Corridor requirement for Utility-Scale Data Center facilities
- Performance standards including noise standards, visual requirements, fire safety standards, cooling and water use standards, and electrical infrastructure standards
- Financial assurance requirements
- The limitation of not more than one (1) active Utility-Scale Data Center facility or campus in Perkins County at any given time, as established in Section 706.1

1203.9 AI Server Facility Standards

No variance from any of the following standards established in Section 707:

- Classification thresholds
- Prohibited area restrictions of Section 707.2
- Setback requirements for any AI server facility classification
- The Preferred Development Corridor requirement for Class II Medium Commercial AI Facility and Class III Utility-Scale AI Facility classifications
- Performance standards including noise standards, visual requirements, fire safety standards, cooling and water use standards, and electrical infrastructure standards
- Financial assurance requirements
- The limitation of not more than one (1) active Class III Utility-Scale AI Facility or campus in Perkins County at any given time, as established in Section 707.1

1203.10 Utility-Scale Prohibitions

No variance shall be used to authorize any utility-scale renewable energy installation, cryptocurrency mining operation, data center facility, or AI facility beyond the numerical limitations established in Sections 704.3, 705.1, 706.1, and 707.1; any utility-scale wind energy system prohibited in Section 704.6; or any other use that is characterized as expressly prohibited in these regulations.

SECTION 1204 – VARIANCE PROCEDURE

The procedure for variance applications is established in Section 904.10 and the variance standards are established in Section 904.11, both of which are incorporated here by reference. All variance applications shall be filed with the Zoning Administrator, shall include all materials required by Section 904.10, and shall be accompanied by payment of the applicable fee established in Appendix A.

SECTION 1205 – CONDITIONS OF APPROVAL

In granting a variance the Board of Adjustment may impose reasonable conditions necessary to ensure that the intent of these regulations is upheld, that the variance will not be detrimental to adjacent properties or the public welfare, and that the minimum necessary relief is provided. Conditions shall be recorded with the variance decision and shall run with the land. Violation of any condition of a variance approval constitutes a violation of these regulations subject to enforcement under Section 1402. A variance granted without conditions may be relied upon by the property owner and all successors in interest without further review provided the use or development is completed within the validity period of any associated zoning permit.

SECTION 1206 – VARIANCE VALIDITY AND EXPIRATION

A variance shall be valid for twenty-four (24) months from the date of issuance. The property owner shall obtain all required zoning permits and commence the authorized development or use within twenty-four (24) months of variance approval. One extension of twelve (12) months may be granted by the Board of Adjustment upon written request submitted before expiration demonstrating good cause for the delay. A variance that expires without commencement of the authorized development shall require a new application and public hearing. A variance that has been exercised and construction commenced shall not expire provided development continues diligently to completion.

SECTION 1207 – JUDICIAL REVIEW

Judicial review of Board of Adjustment variance decisions is governed by Section 904.14 and is incorporated here by reference. Any person aggrieved by a variance decision may petition a court of record within thirty (30) days of the filing of the decision in the office of the Board as provided in Nebraska Revised Statutes §23-168.03.

ARTICLE 13 - AMENDMENTS

SECTION 1301 – AUTHORITY AND PURPOSE

1301.1 Authority

The Perkins County Board of Commissioners is authorized to amend these zoning regulations, including text amendments and zoning map amendments, in accordance with the procedures of this Article and Nebraska Revised Statutes §§23-114 through 23-114.05 and 23-172 through 23-174. All amendments shall be consistent with the adopted Perkins County Comprehensive Plan 2025–2035 as required by Nebraska Revised Statutes §23-114.03. An amendment that is inconsistent with the Comprehensive Plan shall not be adopted unless the Comprehensive Plan is first amended to accommodate the proposed zoning change.

1301.2 Purpose

The amendment process provides a mechanism for updating these regulations to respond to changing community needs, new land use information, changed circumstances, court decisions, amendments to state or federal law, and the periodic review of the Comprehensive Plan. The amendment process is a legislative act of the County Board and is distinct from the quasi-judicial conditional use permit and variance processes governed by Articles 10 and 12. Amendments shall not be used as a substitute for the conditional use permit process to authorize specific proposed uses on specific properties.

1301.3 Types of Amendments

Text Amendments change the written provisions of these regulations including use classifications, performance standards, definitions, procedural requirements, or any other regulatory text. Text amendments apply uniformly to all properties subject to the amended provision.

Map Amendments change the zoning classification of one or more specific parcels on the Official Zoning Map. Map amendments are also referred to as rezonings. A map amendment affecting a specific parcel is quasi-legislative in character and shall be evaluated against the standards of Section 1304.2 in addition to the general standards of Section 1304.1.

SECTION 1302 – WHO MAY INITIATE AN AMENDMENT

A proposed amendment to these regulations may be initiated by:

- The Perkins County Board of Commissioners by motion or resolution
- The Planning Commission by formal recommendation to the County Board
- Any property owner or authorized agent with a legal interest in property within the County by written application to the Zoning Administrator
- The Zoning Administrator upon finding that an amendment is necessary to correct an error, address an ambiguity, or implement a change in state or federal law

County-initiated amendments and Planning Commission-initiated amendments shall not require an application fee. Applicant-initiated amendments shall be accompanied by the fee established in Appendix A and all required application materials as specified in Section 1303.

SECTION 1303 – APPLICATION REQUIREMENTS

1303.1 Text Amendment Applications

Applications for text amendments shall include:

- A written description of the proposed amendment including the specific regulatory text proposed to be added, deleted, or modified shown in redline format with deletions struck through and additions underlined
- A statement of the purpose and justification for the proposed amendment explaining the problem or need the amendment addresses
- An analysis of the proposed amendment's consistency with the Perkins County Comprehensive Plan 2025–2035
- An analysis of the amendment's potential impacts on existing uses, neighboring properties, agricultural operations, natural resources, and public infrastructure
- For amendments to Sections 701 through 707 or Articles 6A and 6B, a statement of how the proposed amendment relates to applicable state and federal regulatory standards administered by NDWEE, the Upper Republican NRD, the FAA, FEMA, and other agencies with concurrent jurisdiction
- Payment of the applicable fee per Appendix A for applicant-initiated amendments

1303.2 Map Amendment Applications

Applications for map amendments shall include all materials required for text amendment applications plus:

- A legal description and assessor's parcel number for each parcel proposed to be rezoned
- A site plan or map showing the location of the subject parcel or parcels in relation to surrounding land uses, zoning districts, roads, and natural features
- A statement of the proposed use of the property following rezoning and how that use complies with all applicable standards of the proposed zoning district
- An analysis of the compatibility of the proposed rezoning with surrounding land uses and the character of the area
- Documentation of all state and federal permits or approvals required for the proposed use following rezoning
- A traffic impact analysis if the proposed use following rezoning will generate significantly more traffic than the current use or zoning

1303.3 Application Completeness Review

The Zoning Administrator shall review amendment applications for completeness within ten (10) business days of receipt. Incomplete applications shall be returned with written notice identifying deficiencies. The review and notice timeline does not begin until a complete application is received. An amendment application that remains incomplete for one hundred eighty (180) days after notice of deficiency shall be considered withdrawn.

1303.4 Reapplication Limitation

A substantially similar amendment application that has been denied by the County Board shall not be resubmitted for a period of twelve (12) months from the date of denial unless the applicant demonstrates that material circumstances have changed since the denial. The Zoning Administrator shall make the initial determination of whether a proposed reapplication is substantially similar to a previously denied application; this determination may be appealed to the Board of Adjustment under Section 904.09.

SECTION 1304 – STANDARDS FOR AMENDMENT

1304.1 General Standards

The Planning Commission shall evaluate all proposed amendments against the following standards and shall include explicit findings addressing each standard in its recommendation to the County Board. The County Board shall make independent findings on each standard in its final decision.

- Consistency with the Perkins County Comprehensive Plan 2025–2035 including its vision statement, goals and objectives, land use element, and Future Land Use Plan; an amendment that is inconsistent with the Comprehensive Plan shall not be recommended for approval unless accompanied by a concurrent Comprehensive Plan amendment
- Consistency with applicable state and federal laws and regulations including Nebraska Revised Statutes Chapter 23 and all applicable NDWEE, NRD, FAA, and FEMA requirements
- Compatibility with the existing and planned character of land uses in the affected area including protection of prime agricultural land, groundwater resources, and the rural character of Perkins County
- Adequate public infrastructure including roads, electrical service, and emergency services to support uses permitted under the proposed amendment
- The public necessity, convenience, and general welfare served by the proposed amendment
- The absence of any specific hardship, personal advantage, or spot zoning motivation underlying a map amendment application — a map amendment that primarily benefits a specific property owner without serving a broader public purpose is not a proper legislative act

1304.2 Additional Standards for Map Amendments

In addition to the general standards of Section 1304.1 the Planning Commission and County Board shall evaluate map amendments against the following additional standards:

- The current use and condition of the subject property and whether the proposed rezoning represents an appropriate transition from current to proposed use
- The zoning and use of surrounding properties and whether the proposed rezoning is compatible with or conflicts with those uses
- The extent to which the proposed map amendment constitutes spot zoning — the singling out of a parcel or small area for a use classification that differs from surrounding properties without a rational basis in the public interest; spot zoning is disfavored and shall be clearly distinguished from appropriate transitional zoning
- Whether the subject property is suitable for the uses permitted in the proposed zoning district given its soils, topography, access, and relationship to natural resources
- The consistency of the proposed map amendment with the Future Land Use Plan and Preferred Development Corridor framework of the Comprehensive Plan

SECTION 1305 – AMENDMENT PROCEDURE

1305.1 Staff Review and Report

The Zoning Administrator shall prepare a written staff report for each complete amendment application addressing all applicable standards of Section 1304. The staff report shall be distributed to the Planning Commission and made available to the public at least ten (10) days prior to the Planning Commission public hearing.

1305.2 Agency Coordination

For proposed amendments to Sections 701 through 707 or Articles 6A and 6B, the Zoning Administrator shall provide advance notice of the proposed amendment to NDWEE, the Upper Republican NRD, the Nebraska Game and Parks Commission, the FAA where applicable, and any other agency with concurrent regulatory jurisdiction. Agency comments received prior to the close of the public hearing record shall be incorporated into the staff report and made available to the public.

1305.3 Notice Requirements

Public notice for amendment hearings shall comply with the following minimum requirements:

- For text amendments of general applicability: publication in a legal newspaper of general circulation in Perkins County at least ten (10) days prior to the Planning Commission public hearing as required by Nebraska Revised Statutes §23-114.04(1)
- For map amendments and text amendments to Sections 701 through 707: publication in a legal newspaper at least ten (10) days prior to the Planning Commission hearing; certified mail notification to all property owners within one (1) mile of any affected parcel at least thirty (30) days prior to the Planning Commission hearing; posted notice on all subject parcels at least ten (10) days prior to the hearing
- For amendments to the utility-scale prohibition provisions of Section 704.3 or the authorized project provisions of Sections 704.4 and 704.5: certified mail notification to all property owners within two (2) miles of any area that would be affected by the amendment at least sixty (60) days prior to the Planning Commission hearing; mandatory public information meeting in the county seat at least sixty (60) days prior to the Planning Commission hearing
- All notice requirements shall be satisfied before the Planning Commission hearing is conducted; the County Board hearing requires separate published notice at least ten (10) days prior to that hearing

1305.4 Planning Commission Hearing and Recommendation

The Planning Commission shall hold a duly noticed public hearing on each proposed amendment and shall adopt a written recommendation to the County Board within sixty (60) days of the close of the public hearing record. The recommendation shall include specific written findings addressing each applicable standard of Section 1304 and an explicit finding regarding consistency with the Comprehensive Plan. If the Planning Commission fails to make a recommendation within sixty (60) days the County Board may proceed without a recommendation unless the applicant consents to an extension.

1305.5 County Board Hearing and Action

The County Board shall conduct a public hearing on the proposed amendment with published notice at least ten (10) days prior to the hearing. The County Board shall consider the Planning Commission's recommendation, the staff report, the hearing record, and all public testimony received and shall issue a written decision with findings of fact. Approval of an amendment requires a majority vote of the full County Board unless the protest provisions of Section 1306 apply.

1305.6 Effective Date of Amendments

Approved amendments shall become effective upon publication in a legal newspaper of general circulation in Perkins County in accordance with Nebraska law. The Zoning Administrator shall update the Official Zoning Map and regulatory text within thirty (30) days of the effective date of any approved amendment. Permits legally issued under regulations in effect prior to the effective date of an amendment shall remain valid and may be acted upon provided construction commences within the validity period established in Section 802.7.

1305.7 Interim Zoning

When the County Board has initiated or received an amendment application that, if approved, would materially change the permitted uses or standards applicable to a specific area, the County Board may by resolution adopt interim zoning regulations for that area for a period not to exceed one (1) year pending final action on the amendment. Interim zoning regulations may limit or temporarily prohibit uses that would be inconsistent with the proposed amendment to preserve the status quo during the review process. Interim zoning regulations shall be adopted only after a public hearing with notice consistent with Section 1305.3.

SECTION 1306 – PROTEST PROVISIONS

In accordance with Nebraska Revised Statutes §23-174, if a written protest against a proposed zoning amendment is filed with the County Board by the owners of twenty percent (20%) or more of the area of the lots immediately adjacent in the rear thereof extending one hundred (100) feet therefrom, or of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, the amendment shall not become effective except by the favorable vote of two-thirds (2/3) of all members of the County Board.

For purposes of calculating the twenty percent (20%) protest threshold, area shall be measured in acres of land area within the affected territory. Public rights-of-way shall not be included in the calculation of area for protest purposes. The Zoning Administrator shall verify all protest petitions for sufficiency within ten (10) business days of receipt and shall notify the County Board in writing whether the protest threshold has been met. A protest petition that does not meet the threshold shall be entered into the hearing record as public comment.

Protest provisions apply to map amendments and to text amendments that directly affect specific identified parcels. Protest provisions do not apply to amendments of general applicability throughout the county that do not specifically identify affected parcels.

SECTION 1307 – COMPREHENSIVE PLAN AMENDMENTS

Amendments to the Perkins County Comprehensive Plan 2025-2035 shall be processed in accordance with Nebraska Revised Statutes §23-114 and the procedures established herein for zoning text amendments, with the following additional requirements:

- Comprehensive Plan amendments shall be initiated by the County Board or Planning Commission; property owner-initiated Comprehensive Plan amendments are not permitted except as part of a concurrent zoning map amendment application
- The Planning Commission shall hold at least one (1) public hearing on any proposed Comprehensive Plan amendment and shall adopt a written recommendation to the County Board

- The County Board shall hold a public hearing and adopt the amendment by majority vote of all members
- A Comprehensive Plan amendment that is adopted to support a concurrent zoning amendment shall be adopted before or simultaneously with the zoning amendment; a zoning amendment shall not be adopted in advance of a required Comprehensive Plan amendment

ARTICLE 14 – ENFORCEMENT

SECTION 1401 – VIOLATIONS

1401.1 What Constitutes a Violation

A violation of these regulations occurs when any person, firm, corporation, or other entity undertakes, maintains, or allows any of the following:

- Use of land, buildings, or structures for any purpose without obtaining all required zoning permits, conditional use permits, or certificates of compliance
- Construction, alteration, enlargement, or demolition of any building or structure without obtaining all required permits
- Failure to comply with any condition of an approved zoning permit, conditional use permit, variance, or certificate of compliance
- Continuation of any use that is expressly prohibited by these regulations, except for lawful nonconforming uses protected by Article 11
- Failure to comply with any performance standard, setback requirement, height limit, noise standard, or other operational standard established in these regulations
- Failure to maintain required financial assurance instruments including decommissioning bonds, performance bonds, or insurance certificates in the amounts required by the applicable section
- Failure to submit required annual compliance reports, noise monitoring results, environmental compliance reports, or other required reports within the time periods established in these regulations
- Abandonment of a use or facility subject to decommissioning obligations under Sections 701 through 707 without initiating decommissioning within the required timeframe
- Any other act or omission that violates any provision of these regulations

1401.2 Responsibility for Violations

Responsibility for compliance with these regulations' rests jointly and severally with the property owner, the occupant or operator of the use, the holder of any applicable permit, and any person who directly causes or participates in a violation. The County may pursue enforcement action against any or all responsible parties.

SECTION 1402 – ENFORCEMENT PROCESS

1402.1 Investigation

The Zoning Administrator shall investigate all reported violations whether discovered through routine inspection, complaint, or other means. Complaints may be submitted in writing to the Zoning Administrator. The identity of complainants shall be maintained as confidential by the Zoning Administrator to the extent permitted by Nebraska public records law, recognizing that in small rural communities the fear of neighbor retaliation is a legitimate concern that should not deter reporting of genuine violations.

The Zoning Administrator shall document all investigations in writing and shall maintain investigation records as part of the official zoning records.

1402.2 Notice of Violation and Cure Period

Upon finding a violation of these regulations the Zoning Administrator shall provide written notice of violation to the responsible party or parties. The notice of violation shall:

- Identify the specific violation and the regulatory provision that has been violated
- Describe the corrective action required to cure the violation
- Establish a reasonable cure period within which the violation must be corrected; the cure period shall be not less than thirty (30) days for most violations; the Zoning Administrator may establish a shorter cure period not less than seventy-two (72) hours for violations posing an imminent threat to public health or safety
- State the penalties that will be assessed if the violation is not corrected within the cure period
- Inform the responsible party of their right to appeal the violation determination to the Board of Adjustment under Section 904.09

1402.3 Voluntary Compliance Agreements

For complex violations where immediate compliance is not feasible — including decommissioning obligations, financial assurance deficiencies, and multi-phase corrective actions — the Zoning Administrator may enter into a written voluntary compliance agreement with the responsible party establishing a schedule for achieving compliance. Voluntary compliance agreements shall:

- Identify all violations to be addressed
- Establish a specific compliance schedule with milestone dates
- Require interim measures to minimize ongoing harm during the compliance period
- Be approved by the County Board for violations involving technology facilities under Sections 704 through 707 or CAFOs under Section 701
- Not extend the compliance period beyond one (1) year without County Board approval
- Be recorded with the County Register of Deeds and shall run with the land

A responsible party in compliance with an approved voluntary compliance agreement shall not be subject to daily penalties during the compliance period provided all milestone dates are being met. Breach of a voluntary compliance agreement shall void its protections and the full penalty schedule shall apply retroactively to the date of the original violation notice.

1402.4 Stop Work Orders

Stop work orders are authorized and governed by Section 801.4. Reference is hereby made to Section 801.4 for all stop work order provisions; duplication of those provisions in this Section is not intended.

1402.5 Enforcement Actions

Upon expiration of the cure period without correction of the identified violation the Zoning Administrator may pursue any or all of the following enforcement actions:

- Assessment of civil penalties as established in Section 1403
- Referral to the Perkins County Attorney for legal action including suits for injunctive relief, declaratory judgment, or abatement of a public nuisance
- Revocation of applicable zoning permits or conditional use permits in accordance with Section 1008
- Application to a court of competent jurisdiction for an order directing correction of the violation at the responsible party's expense

- Recovery of County costs of abatement where the County has performed work to correct a violation that the responsible party refused to perform; costs of abatement are recoverable as a lien on the property
- Referral to NDWEE, the Upper Republican NRD, or other state or federal agencies with concurrent jurisdiction for parallel enforcement action where violations involve CAFOs, technology facility water use, or other matters within those agencies' jurisdiction

1402.6 Coordination with State and Federal Agencies

For violations involving CAFOs regulated under Section 701, the Zoning Administrator shall notify NDWEE of all documented violations and shall coordinate enforcement efforts with NDWEE to avoid duplicative or conflicting enforcement actions. For violations involving technology facilities regulated under Sections 704 through 707 that implicate NDWEE water quality standards, NRD water use permits, or FAA airspace regulations, the Zoning Administrator shall similarly coordinate with the applicable agency.

SECTION 1403 – PENALTIES

1403.1 General Penalty

Any person who violates any provision of these regulations for which no specific penalty is established elsewhere in these regulations shall be subject to a civil penalty of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) per day for each day the violation continues, as authorized by Nebraska Revised Statutes §23-114.05. The enhanced penalties established in Sections 701 through 707 ($5,000 and $10,000 per day) are authorized as conditions of the applicable conditional use permit or zoning permit pursuant to the County Board's general regulatory authority under Nebraska Revised Statutes §23-104 and are enforceable as contractual obligations of the permit holder in addition to any civil penalty remedy.

1403.2 Enhanced Penalties for Specific Uses

The following use-specific penalty schedules supersede the general penalty of Section 1403.1 for violations of the identified sections:

- Section 701 (CAFOs): five thousand dollars ($5,000) per day first offense; ten thousand dollars ($10,000) per day second offense within any twelve (12) month period; permit revocation for third offense or any offense involving groundwater contamination, lagoon breach, or knowing violation of waste management provisions
- Section 704 (Renewable Energy Systems): five thousand dollars ($5,000) per day first offense; ten thousand dollars ($10,000) per day second offense within any twelve (12) month period; permit revocation for third offense or any offense involving decommissioning, financial assurance, fire safety, or water use provisions
- Section 705 (Cryptocurrency Mining Operations): five thousand dollars ($5,000) per day first offense; ten thousand dollars ($10,000) per day second offense within any twelve (12) month period; permit revocation for third offense or any offense involving knowing or willful violation of decommissioning, financial assurance, fire safety, or electrical infrastructure provisions
- Section 706 (Data Center Facilities): five thousand dollars ($5,000) per day first offense; ten thousand dollars ($10,000) per day second offense within any twelve (12) month period; permit revocation for third offense or any offense involving knowing or willful violation of decommissioning, financial assurance, fire safety, water use, or electrical infrastructure provisions
- Section 707 (AI Server Facilities): five thousand dollars ($5,000) per day first offense; ten thousand dollars ($10,000) per day second offense within any twelve (12) month period; permit revocation for third offense or any offense involving knowing or willful violation of decommissioning, water use, or fire safety provisions

1403.3 Court Costs and Attorney Fees

In addition to civil penalties, the County may recover all court costs, enforcement expenses, and reasonable attorney fees incurred in pursuing enforcement action against a violator as authorized by Nebraska law.

1403.4 Penalties Not Exclusive

Civil penalties under this Section are not exclusive and may be imposed in addition to any other enforcement action authorized by these regulations or by state or federal law. The imposition of a civil penalty does not relieve the responsible party of the obligation to correct the violation.

1403.5 Criminal Penalties

Nothing in these regulations shall be construed to limit the authority of the Perkins County Attorney to pursue criminal enforcement of zoning violations under Nebraska Revised Statutes §23-114.05 in cases of flagrant, repeated, or willful violations.

ARTICLE 15 – LEGAL PROVISIONS

SECTION 1501 – SEVERABILITY

1501.1 General Severability

If any section, subsection, clause, provision, or portion of these regulations is declared invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions of these regulations. The County Board declares that it would have adopted the remaining portions of these regulations independently of the invalidated provision and that the remaining provisions constitute a complete and operative regulatory framework without the invalidated portion.

1501.2 Specific Use Severability

If any provision of Sections 704 through 707 governing battery energy storage systems, solar energy systems, wind energy systems, cryptocurrency mining operations, data center facilities, or AI server facilities is declared invalid, unconstitutional, or unenforceable, such invalidity shall not affect the provisions governing any other use category. Each use category regulated under Sections 704 through 707 is hereby declared to be independently severable from every other use category such that the invalidity of any one section shall not impair the validity or enforceability of any other section.

1501.3 Utility-Scale Prohibition Severability

If any court declares the utility-scale authorization or prohibition provisions of Section 704.3 — including the prohibition on utility-scale wind energy systems, the limitation of Utility-Scale Solar to one active installation, or the limitation of Utility-Scale BESS to one active installation — to be invalid or unenforceable in whole or in part, such invalidity shall not affect the validity of the remaining classification, performance standard, setback, financial assurance, or other provisions of Section 704. The County Board specifically declares its intent that the regulatory framework for Residential, Small Commercial, and Medium Commercial renewable energy system classification tiers remain in full force regardless of the outcome of any legal challenge to the utility-scale provisions. The same severability principle shall apply to the one-at-a-time utility-scale limits adopted in Sections 705 through 707.

SECTION 1502 – RELATIONSHIP TO OTHER REGULATIONS

1502.1 Conflicts with Other Local Regulations

In the event of a conflict between these zoning regulations and any other Perkins County ordinance, resolution, or regulation, the more restrictive provision shall apply unless these regulations expressly provide otherwise. These regulations shall not be construed to supersede or limit the authority of the County Board to adopt other regulations addressing matters within its jurisdiction.

1502.2 Relationship to State Law

These regulations are adopted under the authority of Nebraska Revised Statutes Chapter 23 and shall be interpreted to be consistent with all applicable state statutes and administrative regulations. Where a provision of these regulations conflicts with a mandatory provision of state law, the state law provision shall control. Where state law establishes minimum standards and these regulations establish higher standards, these regulations shall apply. These regulations shall be automatically updated to incorporate any changes in state law that affect the minimum requirements of county zoning regulations; the Zoning Administrator shall notify the County Board of any such changes within sixty (60) days of their effective date.

1502.3 Relationship to Federal Law

Where a provision of these regulations conflicts with a mandatory provision of federal law or federal regulation, the federal provision shall control. This includes but is not limited to FAA airspace regulations governing structures within the AP Airport Protection Overlay District under Article 6A, FEMA floodplain management regulations governing development within the FP Floodplain Overlay District under Article 6B, and EPA and Army Corps of Engineers regulations governing activities affecting wetlands and waters of the United States.

1502.4 Relationship to the Comprehensive Plan

The Perkins County Comprehensive Plan 2025–2035 is hereby adopted by reference as the policy foundation for these regulations. All provisions of these regulations shall be interpreted in a manner consistent with the goals, objectives, and policies of the Comprehensive Plan. Where the language of a specific regulatory provision is ambiguous, the interpretation most consistent with the Comprehensive Plan shall be applied. Amendments to the Comprehensive Plan do not automatically amend these regulations; regulatory amendments require the process established in Article 13.

1502.5 Relationship to State Agency Regulations

Where NDWEE, the Upper Republican Natural Resources District, the Nebraska Department of Agriculture, or other state agencies have adopted regulations that are more restrictive than the corresponding provisions of these regulations for uses within their jurisdiction — including CAFO operational standards, groundwater protection requirements, and environmental permit conditions — the more restrictive state agency requirement shall apply. The Zoning Administrator shall consult with applicable state agencies when questions arise regarding the interaction between these regulations and state agency requirements.

SECTION 1503 – INTERPRETATION

1503.1 Authority to Interpret

The Zoning Administrator shall have authority to interpret the provisions of these regulations in the first instance in connection with the administration of permit applications and enforcement matters. Any person aggrieved by a Zoning Administrator interpretation may appeal to the Board of Adjustment under Section 904.09.

1503.2 Principles of Interpretation

In interpreting these regulations the following principles shall apply:

- Words shall be given their plain and ordinary meaning unless a specific definition is provided in Section 202 or in the applicable use-specific section
- Where a specific definition is provided it shall control over general usage of the term
- The word "shall" is mandatory; the word "may" is permissive; the word "should" is directory but not mandatory
- Lists of examples introduced by phrases such as "including but not limited to" or "such as" are illustrative and not exhaustive; lists not preceded by such qualifying language are exhaustive

- Where a general provision and a specific provision address the same subject the specific provision shall control
- These regulations shall be interpreted in a manner that advances the goals and policies of the Perkins County Comprehensive Plan 2025–2035
- In cases of genuine ambiguity these regulations shall be interpreted in favor of the property owner unless such interpretation would create a risk to public health, safety, or welfare or would undermine the regulatory protections established for neighboring properties, natural resources, or the agricultural character of the county

1503.3 Unlisted Uses

Where a proposed use is not specifically listed as a permitted use, conditional use, or prohibited use in the applicable zoning district, the Zoning Administrator shall determine whether the proposed use is similar in character, scale, and impact to a listed use and shall classify the proposed use accordingly. The property owner may appeal the Zoning Administrator's determination to the Board of Adjustment under Section 904.09. No unlisted use shall be approved that is inconsistent with the intent of the applicable zoning district as stated in the district intent provisions or that would be inconsistent with the Comprehensive Plan.

SECTION 1504 – VESTED RIGHTS AND PRIOR PERMITS

1504.1 Permits Issued Under Prior Regulations

Zoning permits and conditional use permits legally issued under regulations in effect prior to the effective date of these regulations shall remain valid and may be acted upon provided:

- Construction commences within the validity period established in the permit or within twenty-four (24) months of the permit issuance date, whichever is earlier
- The development is completed substantially in accordance with the approved plans
- The use or development complies with all conditions of the issued permit

A permit issued under prior regulations that has not been acted upon within the applicable validity period shall expire and any new application shall comply with all current regulations.

1504.2 Lawfully Approved Conditional Use Permits

Conditional use permits lawfully approved by the County Board prior to the effective date of these regulations – including the LightSource BP utility-scale solar conditional use permit – shall remain in full force and effect and shall be governed by their own terms and conditions. Such permits are not rendered nonconforming by the adoption of these regulations. The holders of such permits shall comply with all permit conditions throughout the operational life of the facility.

SECTION 1505 – PERIODIC REVIEW

1505.1 Annual Review

The Zoning Administrator shall prepare and present to the County Board an annual report on the administration of these regulations by January 31 of each year. The annual report shall include a summary of all permits issued, conditional use permits approved and denied, enforcement actions taken, financial assurance instruments on file, cumulative renewable energy acreage by township, and any recommended regulatory updates based on the previous year's experience.

1505.2 Five-Year Comprehensive Review

The Planning Commission shall conduct a comprehensive review of these regulations every five (5) years, in coordination with the review of the Perkins County Comprehensive Plan, to evaluate their effectiveness in implementing the goals and policies of the Plan, address changes in applicable state and federal law, incorporate advances in technology and best practices for land use regulation, and address any regulatory gaps or ambiguities identified through the administration and enforcement of these regulations. The Planning Commission shall report its findings and recommendations to the County Board within twelve (12) months of initiating the comprehensive review.

1505.3 Technology Facility Standards Review

Given the rapid pace of change in battery energy storage, solar energy, wind energy, cryptocurrency mining, data center, and artificial intelligence technologies, the Zoning Administrator shall monitor developments in state and national regulatory practice for these use types and shall present an update to the Planning Commission and County Board at least every two (2) years on whether the classification thresholds, performance standards, and other regulatory provisions of Sections 704 through 707 remain appropriate and adequate. The County Board may initiate a targeted amendment of any of these sections at any time without waiting for the comprehensive five-year review.

SECTION 1506 – EFFECTIVE DATE

These zoning regulations shall become effective upon adoption by the Perkins County Board of Commissioners and publication in a legal newspaper of general circulation in Perkins County as required by Nebraska law. The Zoning Administrator shall maintain a record of the adoption date and publication date, and the effective date shall be the date of publication. Upon the effective date, all prior zoning regulations of Perkins County that conflict with these regulations are hereby repealed except as provided in Section 1504 regarding permits issued under prior regulations. The Zoning Administrator shall file a certified copy of these regulations with the Office of the Perkins County Clerk within thirty (30) days of the effective date.

APPENDIX A – FEES

All fees are established to recover the reasonable costs of zoning administration and shall not exceed the actual cost of administering the applicable permit or approval process. All fees are subject to periodic review and adjustment by resolution of the Perkins County Board of Commissioners without amendment of these regulations. Fee waivers require County Board approval as provided in Section 802.11.

GENERAL ADMINISTRATIVE FEES

PERMIT / APPLICATION TYPE	FEE
Zoning Permit – Residential and Accessory Structures	$75
Zoning Permit – Agricultural Buildings Requiring a Permit	$50
Zoning Permit – Commercial or Industrial Uses	$150
Certificate of Compliance	$50
Home Occupation Determination (written)	$50
Nonconforming Use Determination (written)	$100
Pre-Application Conference – Required (CAFO Class III/IV/V, Utility-Scale Data Center, Utility-Scale AI Facility)	$250
Subdivision Plat Review	$300 + $25 per lot
Permit Transfer	$150
Permit Amendment – Minor (Zoning Administrator approval)	$100
Permit Amendment – Major (requires public hearing)	Same as new application
Stop Work Order Reinstatement	$200
Zoning Verification Letter	$50

CONDITIONAL USE PERMITS

APPLICATION TYPE	FEE
CUP – Standard (bed and breakfast, rural event venue, recreational facility, telecommunications tower, home occupation above threshold)	$300 + $2 per acre of subject parcel
CUP – Agricultural (CAFO Small-Scale Operation)	No CUP required
CUP – Agricultural (CAFO Class I)	$500 + $3 per acre of facility footprint
CUP – Agricultural (CAFO Class II)	$750 + $3 per acre of facility footprint
CUP – Agricultural (CAFO Class III)	$1,500 + $3 per acre of facility footprint
CUP – Agricultural (CAFO Class IV)	$2,500 + $3 per acre of facility footprint
CUP – Agricultural (CAFO Class V)	$3,500 + $3 per acre of facility footprint
CUP – Renewable Energy Commercial Solar	$750 + $1 per kW of nameplate capacity
CUP – Renewable Energy Utility-Scale Solar	$2,500 + $1 per kW of nameplate capacity
CUP – Renewable Energy Small Commercial Wind	$1,000 + $50 per turbine
CUP – BESS Medium Commercial	$750
CUP – BESS Utility-Scale	$2,500
CUP – Cryptocurrency Mining Medium Commercial	$750
CUP – Cryptocurrency Mining Utility-Scale	$2,500
CUP – Data Center Medium Commercial	$1,000
CUP – Data Center Utility-Scale	$2,500
CUP – AI Server Facility Class II Medium Commercial	$1,500
CUP – AI Server Facility Class III Utility-Scale	$3,500
CUP – Mineral or Gravel Extraction	$500 + $2 per acre of extraction area
CUP – Waste Management Facility	$1,000
CUP – Private Airport or Airstrip	$500

VARIANCES AND APPEALS

APPLICATION TYPE	FEE
Variance – Dimensional (setback, height, lot size)	$200
Variance – Other	$200
Administrative Appeal to Board of Adjustment	$150
Zoning Map Interpretation Request	$150

ZONING AMENDMENTS

APPLICATION TYPE	FEE
Text Amendment – Applicant Initiated	$400
Text Amendment – County or Planning Commission Initiated	No charge
Map Amendment (Rezoning) – Less than 40 acres	$400
Map Amendment (Rezoning) – 40 acres or more	$600
Comprehensive Plan Amendment – Concurrent with Rezoning	$200 additional

RENEWABLE ENERGY AND TECHNOLOGY FACILITY PERMITS

These fees apply where a zoning permit rather than a CUP is required for the applicable classification.

PERMIT TYPE	FEE
Solar – Small Residential (≤ 25 kW) roof-mounted	$50
Solar – Small Residential (≤ 25 kW) ground-mounted	$75
Solar – Small Agricultural (25 kW – 200 kW)	$150 + $0.50 per kW
Wind – Residential/Farm (≤ 100 kW)	$200 + $1 per kW
BESS – Residential (≤ 80 kWh)	$75
BESS – Small Commercial (80 kWh – 1 MWh)	$200
Cryptocurrency Mining – Small Commercial (5 – 100 kW)	$150
Data Center – Small Commercial (≤ 500 kW)	$200
AI Server Facility – Class I Small Commercial (≤ 500 kW)	$200

COUNTY FIRE MITIGATION FUND CONTRIBUTIONS

Contributions are required prior to permit issuance for the applicable classifications as established in Sections 704 through 707. Contributions fund specialized training and equipment for local fire departments to respond to incidents involving battery systems, immersion cooling fluids, and high-density computing fires. Contribution rates shall be reviewed and adjusted by County Board resolution at least every five (5) years based on actual training and equipment costs.

FACILITY TYPE	CONTRIBUTION
Cryptocurrency Mining – Medium Commercial	$2,500 per facility
Cryptocurrency Mining – Utility-Scale	$5,000 per facility
BESS – Medium Commercial	$2,500 per facility
BESS – Utility-Scale	$5,000 per facility
Solar – Commercial	$2,500 per facility
Solar – Utility-Scale	$5,000 per facility
Wind – Small Commercial (per turbine)	$2,500 per turbine
Data Center – Utility-Scale	$5,000 per facility
AI Server Facility – Class II Medium Commercial	$2,500 per facility
AI Server Facility – Class III Utility-Scale	$5,000 per facility
Cryptocurrency Mining – Utility-Scale	$5,000 per facility

ANNUAL COMPLIANCE INSPECTION FEES

Annual compliance inspections required under Sections 701 through 707 and Section 706.4 shall be conducted at the operator's expense. The following fees cover the Zoning Administrator's time and travel for scheduled annual inspections. Additional inspections required due to complaint investigations or violations are billed at cost.

FACILITY TYPE	ANNUAL INSPECTION FEE
CAFO Class I and II	$150 per inspection
CAFO Class III and IV	$300 per inspection
CAFO Class V	$400 per inspection
Commercial Solar	$150 per inspection
Utility-Scale Solar	$300 per inspection
Small Commercial Wind (per turbine)	$100 per turbine per inspection
BESS Medium Commercial	$200 per inspection
BESS Utility-Scale	$400 per inspection
Cryptocurrency Mining Medium Commercial	$200 per inspection
Cryptocurrency Mining Utility-Scale	$400 per inspection
Data Center Medium Commercial	$200 per inspection
Data Center Utility-Scale	$400 per inspection
AI Server Facility Class II Medium Commercial	$300 per inspection
AI Server Facility Class III Utility-Scale	$500 per inspection

A note for the Board:

The fee structure above is designed around cost recovery rather than revenue generation, which is the legally defensible standard for zoning fees in Nebraska. The County Board should have the Zoning Administrator track actual staff time spent on each application type for the first two years after adoption and adjust fees accordingly by resolution. The Fire Mitigation Fund contribution rates in particular should be validated against actual quotes from equipment suppliers and training providers before being finalized – the figures above are placeholders based on general industry estimates for rural fire department AI and battery fire preparedness programs.

APPENDIX B – ANIMAL UNIT CONVERSION TABLE

Animal unit conversion factors are used to classify concentrated animal feeding operations under Section 701 of these regulations. These factors are adopted to be consistent with the Nebraska Department of Water, Energy, and Environment (NDWEE) Title 130 Livestock Waste Management Regulations, as amended. Where NDWEE amends its animal unit conversion factors, the Zoning Administrator shall notify the County Board and recommend corresponding updates to this table. Until this table is formally amended by County Board resolution, the NDWEE Title 130 factors shall control in cases of conflict.

An Animal Unit (AU) is a standard measure of livestock waste output roughly equivalent to one thousand two hundred (1,200) pounds of live animal weight producing approximately sixty-five (65) pounds of volatile solids per day. Animal unit values for species not listed in this table shall be determined by the Zoning Administrator in consultation with NDWEE using comparable weight and waste output characteristics.

For operations with multiple species, animal units shall be calculated separately for each species and summed to determine the total animal units for classification purposes. Fractions of animal units shall be carried to two decimal places, and the total shall be rounded to the nearest whole animal unit.

ANIMAL TYPE	ANIMAL UNITS
CATTLE	
Beef Cattle, mature (over 1,200 lbs)	1.10
Beef Cattle, standard (500–1,200 lbs)	1.00
Beef Cattle, stocker/backgrounder (300–500 lbs)	0.60
Beef Cattle, calf (150–300 lbs)	0.40
Beef Cattle, calf (under 150 lbs)	0.20
Dairy Cow, mature milking	1.40
Dairy Heifer, young stock (500–1,000 lbs)	0.75
Dairy Calf (under 500 lbs)	0.50
Bison (mature)	1.00
SWINE	
Swine, mature boar or sow (over 300 lbs)	0.50
Swine, market hog (55–300 lbs)	0.40
Swine, weaned pig (under 55 lbs)	0.05
Sow with litter (sow plus piglets under 55 lbs, counted as one unit)	0.55
EQUINE	
Horse or Mule, mature (over 1,000 lbs)	1.00
Horse, young stock (under 1,000 lbs)	0.75
Donkey or Pony	0.50
SHEEP AND GOATS	
Sheep, mature	0.10
Lamb, under 55 lbs	0.05
Goat, mature	0.10
Kid, under 55 lbs	0.05
POULTRY	
Chicken, layer hen	0.01
Chicken, broiler	0.01
Turkey, mature	0.02
Duck	0.01
Geese	0.02
OTHER	
Rabbit, mature	0.01
Alpaca or Llama	0.20
Elk or Deer (farmed)	0.60

Note 1: These conversion factors are for zoning classification purposes only and do not replace or supersede NDWEE Title 130 animal unit calculations required for state CAFO permitting. Operators must separately calculate animal units under NDWEE Title 130 standards for state permitting purposes.

Note 2: The 300 animal unit threshold below which CAFO regulations under Section 701 do not apply is measured using the factors in this table. Operations between 300 and 301 animal units shall be rounded to the nearest whole animal unit.

Note 3: This table shall be reviewed by the Zoning Administrator in conjunction with the five-year comprehensive review of these regulations required by Section 1505.2 and updated as necessary to remain consistent with NDWEE Title 130.

APPENDIX C – CAFO SEPARATION DISTANCE TABLE

This table summarizes the minimum separation distances established in Section 701.2 of these regulations for concentrated animal feeding operations. This table is provided for reference and convenience. Section 701.2 is the governing regulatory provision; in cases of conflict between this table and Section 701.2, Section 701.2 shall control.

All separation distances are uniform in all directions and are measured from the nearest point of any manure storage structure, open lot, confinement building, or lagoon to the nearest point of the protected use or feature. The directional weighting of setbacks shall not be used to reduce required separation distances.

TABLE C-1: SEPARATION DISTANCES FROM DWELLINGS AND COMMUNITY USES

CLASSIFICATION	PARTICIPATING DWELLINGS	NON-PARTICIPATING DWELLINGS	SCHOOLS / CHURCHES / HOSPITALS	INCORPORATED MUNICIPALITIES
Small-Scale Operation (301–1,000 AU)	50 ft minimum	50 ft minimum	Per §701.1 notification	Per §701.1 notification
Class I (1,001–3,000 AU)	0.1875 mile	0.375 mile	.75 mile	1.0 mile
Class II (3,001–10,000 AU)	0.375 mile	0.75 mile	1.0 mile	1.5 miles
Class III (10,001–20,000 AU)	0.5 mile	1.0 miles	1.5 miles	2.0 miles
Class IV (20,001–50,000 AU)	0.5 mile	1.0 mile	2.0 miles	2.5 miles
Class V (> 50,000 AU)	0.625 mile	1.25 miles	2.5 miles	3.0 miles

TABLE C-2: ENVIRONMENTAL FEATURE SEPARATION DISTANCES

The following separation distances apply to all CAFO classifications regardless of animal unit count:

ENVIRONMENTAL FEATURE	MINIMUM SEPARATION DISTANCE
Watercourses, streams, and intermittent drainageways	300 feet from any manure storage, open lot, or land application area
Wetlands (Army Corps of Engineers defined)	300 feet
Private water wells (not on operation property)	1,000 feet from any manure storage structure or lagoon
Public water supply wells or wellheads	1 mile

Note 1: These separation distances are minimum standards. The Planning Commission and County Commissioners may require greater separation distances as conditions of a conditional use permit where site-specific conditions – including soil permeability, topography, prevailing wind direction, proximity to population centers, or proximity to sensitive environmental features – indicate that minimum distances are insufficient to protect neighboring properties and natural resources.

Note 2: Given Perkins County's prevailing winds from the southeast, operations sited so that prevailing winds carry odors away from non-participating residences and communities are strongly encouraged. The Planning Commission may require additional downwind setback conditions where site-specific wind analysis indicates minimum distances are insufficient for odor protection.

Note 3: Separation distances are measured from the nearest point of the animal feeding operation's physical infrastructure – including manure storage structures, open lots, confinement buildings, and lagoons – to the nearest point of the protected use or feature. Property lines and road rights-of-way are not the measurement reference point.

Note 4: This table shall be reviewed by the Zoning Administrator in conjunction with the five-year comprehensive review of these regulations required by Section 1505.2 and updated as necessary to reflect changes in Section 701 and applicable state standards.

APPENDIX D – RENEWABLE ENERGY SYSTEM QUICK REFERENCE

This appendix provides a condensed summary of the renewable energy classification thresholds, permit requirements, and key standards established in Section 704 of these regulations. This appendix is provided for reference and convenience only. Section 704 is the governing regulatory provision; in cases of conflict between this appendix and Section 704, Section 704 shall control. All applicants are directed to read Section 704 in full before submitting any application.

TABLE D-1: BATTERY ENERGY STORAGE SYSTEM (BESS) CLASSIFICATIONS – SECTION 704.4

CLASSIFICATION	CAPACITY	PERMIT REQUIRED	KEY STANDARDS REFERENCE
Residential	≤ 80 kWh	Zoning permit	Section 704.4
Small Commercial	80 kWh – 1 MWh	Zoning permit with site plan	Section 704.4
Medium Commercial	1 MWh – 10 MWh	Conditional use permit	Section 704.4
Utility-Scale	> 10 MWh	Conditional use permit; maximum one (1) authorized in county	Section 704.4 and 704.3

TABLE D-2: BESS SETBACK SUMMARY

SETBACK TYPE	RESIDENTIAL	SMALL COMMERCIAL	MEDIUM COMMERCIAL	UTILITY-SCALE
Property lines	10 ft	50 ft	500 ft	500 ft
Participating dwellings	5 ft	50 ft	150 ft	100 ft
Non-participating dwellings	50 ft	200 ft	1,500 ft	1,500 ft
Public roads	25 ft	75 ft	500 ft	500 ft
State/federal highways	25 ft	100 ft	0.5 mile	0.5 mile
Incorporated municipalities	None	0.5 mile	1 mile	1 mile
Watercourses and wetlands	25 ft	50 ft	300 ft	300 ft
Schools, churches, hospitals	—	—	1 mile	1 mile

TABLE D-3: SOLAR ENERGY SYSTEM CLASSIFICATIONS – SECTION 704.5

CLASSIFICATION	CAPACITY	PERMIT REQUIRED	KEY STANDARDS REFERENCE
Small Residential	≤ 25 kW	Zoning permit	Section 704.5
Small Agricultural	25 kW – 200 kW	Zoning permit with site plan	Section 704.5
Commercial	200 kW – 5 MW	Conditional use permit	Section 704.5
Utility-Scale	> 5 MW	Conditional use permit; maximum one (1) active installation countywide on Class III soils only	Section 704.5 and 704.3

Tracking Systems: Dual-axis and multi-axis tracking permitted for Commercial and Utility-Scale only. Single-axis permitted for Small Agricultural. No tracking permitted for Small Residential. Multi-axis tracking at 30-foot maximum height approved as part of a Utility-Scale project.

TABLE D-4: SOLAR SETBACK SUMMARY

SETBACK TYPE	SMALL RESIDENTIAL	SMALL AGRICULTURAL	COMMERCIAL	UTILITY-SCALE
Property lines	25 ft	50 ft	200 ft	200 ft
Participating dwellings	10 ft	25 ft	50 ft	100 ft
Non-participating dwellings	50 ft	100 ft	1,000 ft	1,000 ft
Public roads	25 ft	100 ft	500 ft	500 ft
State/federal highways	25 ft	100 ft	1 mile	1 mile
Incorporated municipalities	None	0.5 mile	1 mile	1 mile
Watercourses and wetlands	25 ft	50 ft	300 ft	300 ft
Schools, churches, hospitals	—	—	1 mile	1 mile

TABLE D-5: SOLAR HEIGHT LIMITS

CLASSIFICATION	ROOF-MOUNTED	GROUND-MOUNTED
Small Residential	3 ft above roofline	8 ft maximum
Small Agricultural	3 ft above roofline	12 ft maximum
Commercial	3 ft above roofline	15 ft maximum
Utility-Scale	3 ft above roofline	30 ft maximum

TABLE D-6: SOLAR VISUAL SCREENING REQUIREMENTS

CLASSIFICATION	EARTH BERM HEIGHT	VEGETATION BUFFER WIDTH	VEGETATION MINIMUM HEIGHT	VEGETATION MAXIMUM HEIGHT
Small Residential	Not required	Not required	—	—
Small Agricultural	Not required	Not required	6 ft (if provided)	10 ft
Commercial	4 ft minimum	50 ft minimum	8 ft within 5 years	15 ft
Utility-Scale	6 ft minimum	75 ft minimum	10 ft within 5 years	20 ft

TABLE D-7: WIND ENERGY SYSTEM CLASSIFICATIONS – SECTION 704.6

CLASSIFICATION	CAPACITY	PERMIT REQUIRED	KEY STANDARDS REFERENCE
Residential/Farm	≤ 100 kW	Special use permit	Section 704.6
Small Commercial	100 kW – 5 MW	Conditional use permit	Section 704.6
Utility-Scale	> 5 MW	Exclusively prohibited	Section 704.6 and 704.3

TABLE D-8: WIND ENERGY SETBACK SUMMARY

SETBACK TYPE	RESIDENTIAL/FARM	SMALL COMMERCIAL
Property lines	3.0x total height	—
Non-participating property lines	—	1.5x total height + 500 ft
Participating property lines	—	1.0x total height
Participating dwellings	2.0x total height	1.0x total height
Non-participating dwellings	5.0x total height	2.0x (tower height + rotor diameter) + 500 ft
Public roads (county)	2.0x total height	1,000 ft
State/federal highways	3.0x total height	0.5 mile
Incorporated municipalities	0.5 mile	1 mile
Schools, churches, hospitals	0.5 mile	1 mile
Watercourses and wetlands	100 ft	300 ft
Airports	Per Article 6A	3 miles minimum + per Article 6A

TABLE D-9: WIND ENERGY HEIGHT LIMITS

CLASSIFICATION	MAXIMUM TOTAL HEIGHT
Residential/Farm	120 ft
Small Commercial	200 ft (established by CUP conditions)
Utility-Scale	Prohibited

TABLE D-10: WIND ENERGY VISUAL SCREENING REQUIREMENTS

CLASSIFICATION	FINISH REQUIREMENT	LANDSCAPE SCREENING AT TURBINE BASE
Residential/Farm	Earth tone or muted finish; no signage except FAA required	Not required
Small Commercial	Earth tone or muted finish; FAA lighting motion-activated where permitted	25 ft wide around base; vegetation 6 ft min, 15 ft max within 5 years
Utility-Scale	Prohibited	—

TABLE D-11: UTILITY-SCALE AUTHORIZATIONS AND PROHIBITIONS SUMMARY – SECTION 704.3

SYSTEM TYPE	STATUS	NOTES
Utility-Scale Solar (> 5 MW)	One (1) active installation authorized	Authorized on Class III+ soils only
Utility-Scale BESS (> 10 MWh)	One (1) active installation authorized	A Utility-Scale BESS co-located with the one authorized Utility-Scale Solar counts as the County's one authorized BESS installation
Utility-Scale Wind (> 5 MW)	Exclusively prohibited	No CUP, variance, or other approval may authorize; amendment requires Article 13 process
Additional Utility-Scale Solar beyond the one authorized	Prohibited	Requires Article 13 amendment to authorize an additional installation
Additional Utility-Scale BESS beyond the one authorized	Prohibited	Requires Article 13 amendment to authorize an additional installation

TABLE D-12: NEIGHBOR NOTIFICATION REQUIREMENTS SUMMARY

CLASSIFICATION	NOTICE TYPE	RADIUS	TIMING
BESS Residential	Written notice to immediately adjacent property owners	Adjacent only	Prior to permit issuance
BESS Small Commercial	Written notice	500 ft	Prior to permit issuance
BESS Medium Commercial	Certified mail + written consent	0.5-mile consent / 1-mile certified mail	Prior to CUP hearing
BESS Utility-Scale	Certified mail + written consent + public information town hall meeting	1-mile consent / 2-miles certified mail	60 days prior to CUP hearing
Solar Small Residential	Written notice to immediately adjacent property owners	Adjacent only	Prior to permit issuance
Solar Small Agricultural	Certified mail	500 ft	30 days prior to permit issuance
Solar Commercial	Certified mail + written consent	0.5-mile consent / 1-mile certified mail	Prior to CUP hearing
Solar Utility-Scale	Certified mail + written consent + public information town hall meeting	1-mile consent / 2-miles certified mail	60 days prior to CUP hearing
Wind Residential/Farm	Written notice to immediately adjacent property owners	Adjacent only	Prior to permit issuance
Wind Small Commercial	Certified mail	1-mile	45 days prior to CUP hearing

Note: This appendix shall be updated by the Zoning Administrator within thirty (30) days of any amendment to Section 704 to ensure continued accuracy. The Zoning Administrator shall note the date of the most recent appendix update at the bottom of this page.

Last updated to reflect Section 704 as amended: [Insert Update Date Here]

ADOPTED: [Date]

EFFECTIVE: [Date]

PUBLISHED: [Date and Publication]

PERKINS COUNTY BOARD OF COMMISSIONERS

Chairman: _____

Commissioner: _____

Commissioner: _____

Attest: _____, County Clerk

This ordinance prioritizes the protection of existing agricultural operations, rural character, and property values while allowing limited renewable energy development under regulatory controls. The renewable energy provisions establish comprehensive standards designed to minimize impacts on neighboring properties and maintain community character.

Interlocal Cooperation Agreement
Between
Perkins County and the City of Grant

WHEREAS, the County of Perkins, Nebraska ("hereinafter referred to as the "County"), and the City of Grant, Nebraska (herein referred to as the "City"), are both political subdivisions of the State of Nebraska; and

WHEREAS, the Interlocal Cooperation Act, NEB. REV. STAT. §§ 13-801 et seq., permits local governmental units to make the most efficient use of their taxing authority and other powers by enabling them to cooperate with other governmental units on a basis of mutual advantage and thereby to provide services and facilities in a manner that will accord with their needs and development; and

WHEREAS, the City and the County agree that a public library is important to encourage a literate and informed citizenry; and

WHEREAS, the City for many years has operated and provided funding for the municipal public library located in Grant, Nebraska, known as the Hastings Memorial Library (the "Library"); and

WHEREAS, the County recognizes that a substantial portion of the patronage of the Library comes from residents of Perkins County who do not reside within the corporate limits of the City; and

WHEREAS, the County for several years has provided funds to the City in support of the Library on behalf of all of the residents of the County; and

WHEREAS, the County and the City desire to formalize their arrangement regarding the Library to provide for a consistent method of operation and to insure that appropriate records are maintained for City and County purposes, including but not limited to audits that may be made of the records of the County and the City;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The recitals above are hereby incorporated in this Agreement.

2. The term of this Agreement shall be for a period of one year, commencing on July 1, 2026, and shall continue for one year terms thereafter unless terminated by either party on 90 days written notice prior to the expiration of the term stated.

3. The parties understand and agree that the City shall have the authority and responsibility for the operation of the Library; provided that, the Library shall remain open to all residents of the County, including those who reside outside the corporate limits of the City, on the same terms as those who reside inside the corporate limits of the City.

4. The parties understand and agree that the funds provided by the County shall be spent on such things as books and other materials, internet service, consortium fees, and summer reading program supplies for use by the Library's patrons, and that the City through its Library staff retains the responsibility and authority to select the materials and services purchased. The parties further understand and agree that the materials and services purchased by the City pursuant to this Agreement shall belong to the City.

5. The City agrees to maintain all records of the cost of materials purchased with funds provided by the County. The City agrees to provide to the County a report each quarter of what the City purchased with the funds, together with a claim for the amount.

6. The County hereby agrees to budget the amount of $8,000.00 per year for the purchase of materials and services for the Library. The County agrees to reimburse the City in quarterly installments, through the County's usual claims process.

7. The County and the City agree that the following general conditions pertain to this Agreement:

a. The City hereby covenants and agrees that (1) no person shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the Library on the basis of his or her race, color, national origin, sex, religion or age; and (2) the Library shall be operated in compliance with all applicable requirements of federal and Nebraska law, including but not limited to Title VI of the Civil Rights Act of 1963 (PL 88-352).

b. The County shall not be liable for any account or accounts of the City, nor shall the City bind or attempt to bind the County in any manner whatsoever.

8. The City agrees to hold the County forever harmless from any claim of whatever nature brought about by the act or omission, intentional or negligent, by any officer, employee or agent of the City, arising from, related to or connected with this Agreement, or use of the Library.

9. Notices, if mailed, shall be mailed to the parties as

follows:

County: Perkins County Clerk
P. O. Box 156
Grant, NE 69140

City: Grant City Clerk
P. O. Box 614
Grant, NE 69140

and shall be deemed to have been given when mailed. Notices, if delivered, shall be delivered to the following persons designated to receive notices on behalf of the parties:

County: Perkins County Clerk
Perkins County Courthouse

City: Grant City Clerk
Grant City Hall

and shall be deemed to have been given when delivered.

10. Notwithstanding any other language contained herein, each party reserves the right to terminate this Agreement immediately and without prior notice to the other party in any of the following events:

a. If required by changes to the law making this Agreement illegal or impracticable;

b. Upon the violation of any covenant contained herein or for any violation of federal, state, County of Perkins or City of Grant statute, law, rule, regulation, or ordinance;

c. An act of any legislature limiting or abolishing agreements of this kind;

d. A general closing of the Library;

e. Any change in federal, state or local regulation adversely affecting the ability of the party terminating this Agreement to carry out the terms of this Agreement;

f. Any federal, state or local declaration of emergency by anyone having jurisdiction over the Library, wherein termination of this Agreement would be consistent with and in support of the public safety, health or welfare; or

g. Either party dissolves or files a petition in bankruptcy.

11. The waiving of any of the provisions of this Agreement by either party shall be limited to the particular instance involved and shall not be deemed to waive any other rights of the same or any other term of this Agreement. No custom or practice of the parties which varies from the terms of this Agreement shall be a waiver of either party's right to demand exact compliance with the terms of this Agreement.

12. Nothing in this Agreement shall be construed or interpreted as creating a partnership, joint venture or relationship of principal and agent between the parties.

13. No right or remedy given in this Agreement to the County or the City is intended to be exclusive of any other right or remedy provided by law. Each right and each remedy shall be cumulative and in addition to every other right or remedy given in this Agreement or now or hereafter existing at law or in equity or by statute.

14. No amendment of this Agreement shall be valid unless it is in writing and is signed by the parties, and unless it specifies the nature and extent of the amendment.

15. Neither party shall assign or transfer any interest in this Agreement without the prior written consent of the other party.

16. Each provision, section, sentence, clause, phrase and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase or word of this Agreement is illegal or invalid for any reason, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

17. This Agreement contains the entire agreement between the parties. No representations, warranties, undertakings, statements, promises, or inducements whether oral, implied, written or otherwise, have been made to, and shall not be valid or binding upon, either party, unless expressly stated in this Agreement. This Agreement supersedes all prior agreements and understandings between the parties with respect to the subject matter of this Agreement.

18. Neither party has relied on any oral or written representation, agreement or understanding not expressly set forth in this Agreement.

19. All covenants, agreements, and obligations contained in this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties. Notices may be made by the successors and assigns of the parties as applicable.

20. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of Nebraska.

21. Time is of the essence in this Agreement, and all acts to be performed by a party to this Agreement shall be performed within the time limit stated in this Agreement, unless the other party gives written consent otherwise.

County of Perkins, Nebraska,

Executed: May ___, 2026

By:_____
Darin Robertson, Chairman
Board of Commissioners

Attest:

(SEAL)

_____
County Clerk

City of Grant, Nebraska,

Executed: May ___, 2026

By:_____
Lisa Schmitt, Mayor

Attest:

(SEAL)

_____
City Clerk

Interlocal Cooperation Agreement
Between
Perkins County and the City of Grant

WHEREAS, the County of Perkins, Nebraska ("hereinafter referred to as the "County"), and the City of Grant, Nebraska (herein referred to as the "City"), are both political subdivisions of the State of Nebraska; and

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WHEREAS, the City for many years has operated and provided funding for the municipal public library located in Grant, Nebraska, known as the Hastings Memorial Library (the "Library"); and

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Grant City Hall

and shall be deemed to have been given when delivered.

10. Notwithstanding any other language contained herein, each party reserves the right to terminate this Agreement immediately and without prior notice to the other party in any of the following events:

a. If required by changes to the law making this Agreement illegal or impracticable;

b. Upon the violation of any covenant contained herein or for any violation of federal, state, County of Perkins or City of Grant statute, law, rule, regulation, or ordinance;

c. An act of any legislature limiting or abolishing agreements of this kind;

d. A general closing of the Library;

e. Any change in federal, state or local regulation adversely affecting the ability of the party terminating this Agreement to carry out the terms of this Agreement;

f. Any federal, state or local declaration of emergency by anyone having jurisdiction over the Library, wherein termination of this Agreement would be consistent with and in support of the public safety, health or welfare; or

g. Either party dissolves or files a petition in bankruptcy.

11. The waiving of any of the provisions of this Agreement by either party shall be limited to the particular instance involved and shall not be deemed to waive any other rights of the same or any other term of this Agreement. No custom or practice of the parties which varies from the terms of this Agreement shall be a waiver of either party's right to demand exact compliance with the terms of this Agreement.

12. Nothing in this Agreement shall be construed or interpreted as creating a partnership, joint venture or relationship of principal and agent between the parties.

13. No right or remedy given in this Agreement to the County or the City is intended to be exclusive of any other right or remedy provided by law. Each right and each remedy shall be cumulative and in addition to every other right or remedy given in this Agreement or now or hereafter existing at law or in equity or by statute.

14. No amendment of this Agreement shall be valid unless it is in writing and is signed by the parties, and unless it specifies the nature and extent of the amendment.

15. Neither party shall assign or transfer any interest in this Agreement without the prior written consent of the other party.

16. Each provision, section, sentence, clause, phrase and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase or word of this Agreement is illegal or invalid for any reason, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

17. This Agreement contains the entire agreement between the parties. No representations, warranties, undertakings, statements, promises, or inducements whether oral, implied, written or otherwise, have been made to, and shall not be valid or binding upon, either party, unless expressly stated in this Agreement. This Agreement supersedes all prior agreements and understandings between the parties with respect to the subject matter of this Agreement.

18. Neither party has relied on any oral or written representation, agreement or understanding not expressly set forth in this Agreement.

19. All covenants, agreements, and obligations contained in this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties. Notices may be made by the successors and assigns of the parties as applicable.

20. This Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of Nebraska.

21. Time is of the essence in this Agreement, and all acts to be performed by a party to this Agreement shall be performed within the time limit stated in this Agreement, unless the other party gives written consent otherwise.

County of Perkins, Nebraska,

Executed: May ___, 2026

By: _____
Darin Robertson, Chairman
Board of Commissioners

Attest:

(SEAL)

_____
County Clerk

City of Grant, Nebraska,

Executed: May ___, 2026

By: _____
Lisa Schmitt, Mayor

Attest:

(SEAL)

_____
City Clerk